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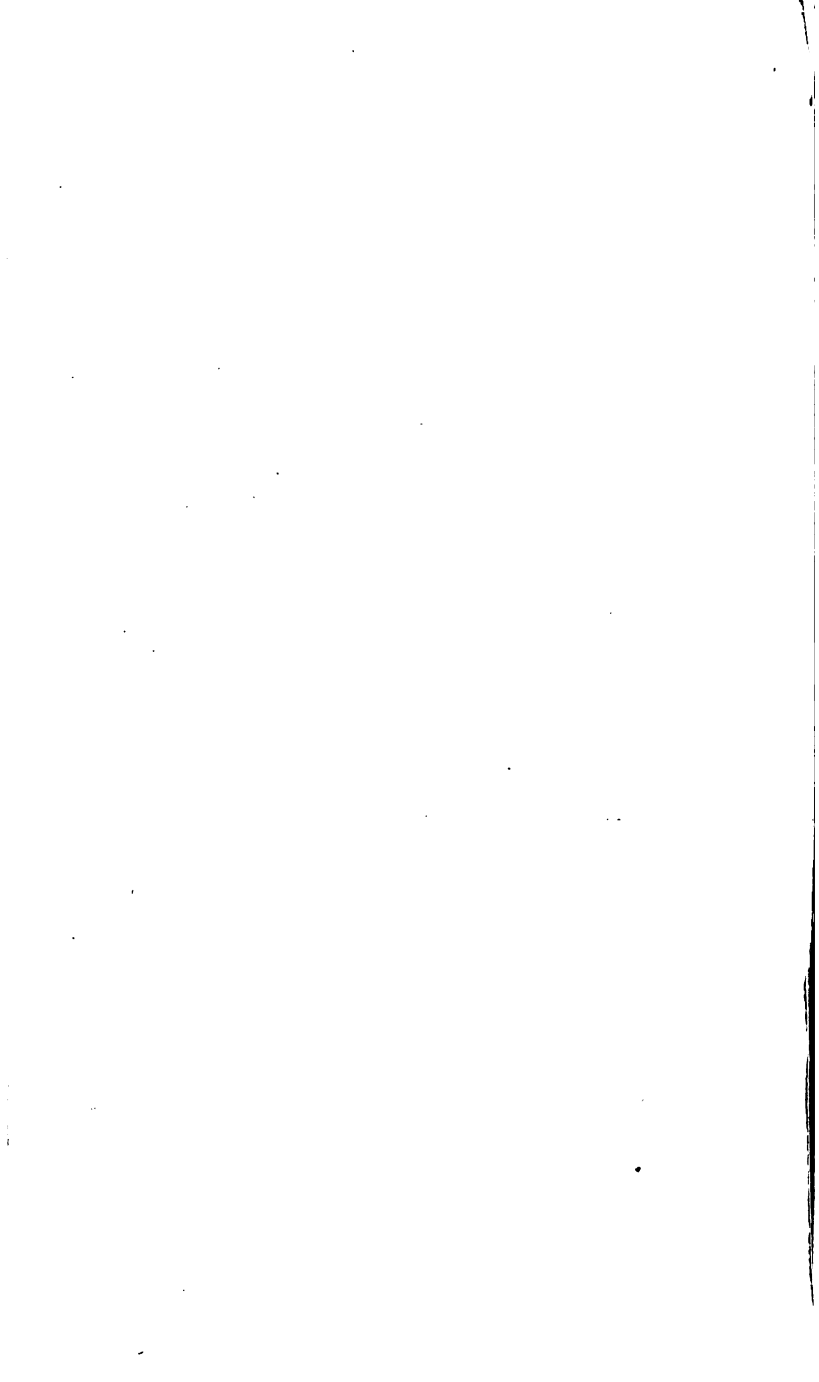
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A MANUAL
OF
GRECIAN AND ROMAN
ANTIQUITIES,

BY
DR. E. F. BJERSEN,
PROFESSOR OF THE GREEK LANGUAGE AND LITERATURE
IN THE UNIVERSITY OF SORO.

TRANSLATED FROM THE GERMAN.

Edited

WITH OCCASIONAL NOTES, AND A COMPLETE SERIES OF QUESTIONS

BY THE
REV. THOMAS KERCHEVER ARNOLD, M.A.,
RECTOR OF LYNDON,
AND LATE FELLOW OF TRINITY COLLEGE, CAMBRIDGE.

REVISED, WITH ADDITIONS AND CORRECTIONS.

NEW YORK:
D. APPLETON AND COMPANY,
549 & 551 BROADWAY.

1874.

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ROY W. B.
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PREFACE TO THE AMERICAN EDITION.

THE present Manuals of Greek and Roman Antiquities are so far superior to any thing on the same topics as yet offered to the American public, that it is superfluous to add to the commendation bestowed on them in Mr. Arnold's preface. All that has been attempted in the Edition now presented to the public has been, to revise carefully throughout the volumes of Dr. Bojesen; to add explanatory notes, where they seemed to be needed; to amplify occasionally some paragraphs and sentences which appeared obscure from the studied brevity which the author has every where observed; to give references to standard English works in history and antiquities; and to endeavour in every way to render the works perfect in their adaptation to the wants of American Schools and Colleges. It is confidently hoped and expected that an impartial examination will establish their claim to favour and adoption.

J. A. S.

NEW-YORK, May 1, 1848.

ROY WEN
2187
VARELL

PREFACE.

WHEN I first became acquainted with Dr. Bojesen's *Manual of Grecian and Roman Antiquities*, they appeared to me suited for their purpose; and my opinion was confirmed months ago by the terms of high praise which one of them received in a principal Review of Germany. The reviewer, Osenbrüggen, himself the author of a treatise *de Jure Belli*, says of the Roman Manual: "Small as the compass of the work, it may confidently affirm that it is a great improvement (on preceding works of the kind).—We no longer meet with the old method, in which subjects essentially distinct are heaped together, and connected subjects disconnected, but have a simple, and clear arrangement, by which the reader easily receives a clear notion of Roman life. We no longer stumble against countless details in detail, which, though long ago assailed and extirpated by others, have found their last place of refuge in our Manual. The recent investigation of philologists and jurists have been used, not only extensively, but carefully and circumspectly. The concise precision which the author has every where prescribed to himself, prevents the superficial observer from perceiving the essential superiority of the book to its predecessors, but whoever subjects it to a careful examination will discover this on every page. The substance of the compiler's careful study of particular points, is mentioned in the sections on *Law and Judicial affairs*, which are more fully treated than in any other Manual, and have an entirely new form. For the subject of Roman *finances*, the author has new investigations to avail himself of, and this portion of the work is consequently less complete. In *Creuzer's Sketch*, the subject of Finances is entirely passed over, and that of the Judicial process, if not quite omitted, yet receives but a few occasional notices."

¹ Zeitschrift für Alterthümsswissenschaft, vol. for 1842, p. 100.

The mere fact that both works have been translated into German (by Dr. *Hoffa* of *Marburg*), and are extensively used in that country, is itself a proof that they are of no common value. In England we have, indeed, in Dr. Smith's Abridgment of the excellent "*Dictionary of Antiquities*," a sound and good work; but I object altogether to the form of a *Dictionary* for any subject of which the parts *ought* to be studied in succession.—I fully believe that the pupil will receive from these little works a correct and tolerably complete picture of Grecian and Roman life; what I may call the *political* portions—the account of the national constitutions and their effects—appear to me to be of great value; and the very moderate extent of each volume admits of its being thoroughly mastered—of its being *got up* and *retained*. For the translation (which has been made from the German version of Dr. *Hoffa*), I have to thank the Rev. R. B. Paul, late Fellow of Exeter College, Oxford; the author of a more extensive work upon "*Grecian Antiquities*," and of a "*History of Germany, on the plan of Mrs. Markham's Histories*."

T. K. A.

LONDON, October 23, 1847.

ROYAL
ACADEMY
OF ARTS

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MANUAL

OF

GRECIAN ANTIQUITIES.

INTRODUCTION.

Authorities.

1. OUR knowledge of Grecian Antiquities is derived principally from the writers of that nation. Homer for instance (who flourished, it is supposed, about B. C. 1000) furnishes us with most of the information which we possess concerning the heroic ages; but after his days, and those of Hesiod, the absence of contemporary notices for many centuries renders us almost entirely dependent on later writers for an account of the times which preceded them, as well as of their own. Among these authorities we may place in the first rank the historians, such as Herodotus, Thucydides, Xenophon, Polybius, Diodorus, and Plutarch; the geographers, Strabo and Pausanias; and the orators, Antiphon, Andocides, Lysias, Isocrates, Isæus, Lycurgus, Demosthenes, Æschines, and Dinarchus. Important information respecting manners, constitutions, and political economy, is supplied by the philosophers, especially Plato and Aristotle, and by some of the poets, Aristophanes for instance; whilst the writings of later grammarians and compilers, such as Athenæus and Ælian, of the scholiasts on Aristophanes and other authors, and of the lexicographers, as Pollux, Harpocration, Hesychius, Photius, Zonaras, and Suidas, the authors

of the *Ἑτυμολογικὸν μέγα* and other dictionaries, furnish a considerable number of detached notices. To these sources of knowledge may be added the study of inscriptions, coins, and other relics of antiquity.

GEOGRAPHY.

§ 1. *Boundaries and divisions of the country.*

2. By the name of *Hellas*¹ (*Ἑλλάς*) the Greeks were accustomed to describe the land inhabited by the Hellenes (*οἱ Ἕλληνες*), rather than any territory distinctly defined by natural or political boundaries; hence, considerable difference of opinion has existed respecting the extent of country to which this designation was applicable. The tract to which we shall confine the name, in the present manual, is divided by nature into three parts; the Peloponnesus, the continent north of the Peloponnesus, and the islands. 3. The continent of Greece may further be subdivided into two portions: the northern, comprehending Epirus and Thessaly, with Magnesia, and stretching from the Ceraunian and Cambunian chains, and Mount Olympus (its boundaries on the side of Illyria and Macedonia) to the Ambra-cian and Malian gulfs; and the southern, which contains the countries of Ætolia, Acarnania, Doris, the Locrian territory, Phocis, Bœotia, Attica, and Megaris; and communicates with the Peloponnesus by the narrow isthmus of Corinth. 4. The districts of the Peloponnesus are Arcadia, Argolis, Laconia, Messenia, Elis, and Achaia. 5. We find also a considerable number of islands, by which the continent is surrounded on every side. Among these, the most remarkable are, Eubœa, Crete, Cyprus, and the clusters of islets called the Cyclades and Sporades. The groups in the Ægean Sea seem originally to have belonged to the continent, from

¹ *Hellas*, in its most ancient signification, was the name of a district of Thessaly, near Phthia. (Homer *Il.* ii. 683.)

which they were probably separated and split into islands by some convulsion of nature.

§ 2. *Natural character of the country, and its influence on the people.*

6. The character of every people is more or less closely connected with that of the land which they inhabit. This holds true with regard to Greece more perhaps than any other European country. Greece is divided by its mountain chains, and the gulfs which penetrate deep into the interior of the continent, into several regions, with a great variety of soil and climate. No country in Europe possesses such an extent of coast in proportion to its superficial area. Its natural capabilities, whilst they give promise of abundant success to agriculture, the rearing of cattle, and fisheries, demand at the same time constant diligence and industry. From the earliest times the attention of the people seems to have been directed to navigation and commerce; but the same peculiarities of situation which invited such undertakings, would render foreign conquest, as well as a nomadic (=wandering or unsettled mode of) life within their own frontiers, exceedingly difficult, and promote the separation of the people into a number of small independent states, without however checking in any considerable degree their intercourse with one another.²

HISTORY.

§ 1. *The Grecian tribes.*

7. A great part of Greece, as of the neighboring countries, is said to have been peopled, in days of yore, by the Pelasgians, a race connected with the Italians and Indians, who appear to have emigrated from Asia, and divided themselves into two branches, the Latin

² Consult Thirlwall's History of Greece, vol. i. pp. 33-42

and the Greek. We read also of other tribes, such as the Thracians, vestiges of whose influence may be discovered in the early Greek religion and poetry—the Lélēges, Dryōpes,³ &c. By degrees the Hellēnes (οἱ Ἑλλήνες), a tribe nearly allied to the Pelasgians, spread from the south of Thessaly (where they are mentioned by Homer, Il. ii. 684, as dwelling together with the Myrmidons), and partly by expelling the original inhabitants, partly by incorporating them into their own nation, succeeded in giving their name to the whole of Greece. 8. Hence the tradition, which derives the four principal Grecian tribes, the Æolians, Dorians, Ionians, and Achæans, from the sons or grandsons of a mythic patriarch named Hellen. Of these, the Æolians were spread over Greece from the remotest antiquity; the Achæans⁴ were a powerful nation in the heroic ages; and the Ionians and Dorians became more important than either, though at a somewhat later period. 9. Other traditions, of a very mythical and unsatisfactory character, mention the immigration of foreigners, such as Danaus and Cecrops, who planted Egyptian colonies in Argos and Attica; Cadmus, the leader of certain Phœnicians, who settled in Bœotia; and Pelops, who came from Asia to the Peloponnesus. Thus much is certain, that the connexion of Greece with Asia is of very ancient date, and that the art of writing was learnt from the Phœnicians; although the intercourse of the Greeks with foreigners was far from exercising so overwhelming an influence as to change the national character in any essential particular.⁵

³ To the same class belong the Centaurs, Lapithæ, Dolopians, and other Thessalian tribes; the Phlegyans and Minyans in Thessaly and Bœotia; the Curetes in Ætolia, Acarnania, and Eubœa; the Epeans and Caucones in Elis, with many others. We are ignorant of the precise relation which these tribes bore to the people mentioned in the text.

⁴ In Homer, the terms Achæi, Argæi, and Danaï, are used as general names for the whole nation. Γραικοί seems to have been an ancient designation of the Hellenes, when they dwelt near Dodona in Epirus. Thence it was carried to the coast of Italy; and subsequently disappeared from history, until it was revived by the Romans.

⁵ See Thirlwall's Hist. of Greece, vol. i. pp. 42-57.

§ 2. *Migration of the tribes.*

10. The notices of those remote times, if we except the light thrown on the events of the Trojan war (B. C. 1184) by the poems of Homer, are hopelessly obscure and confused. Some traditions, however, have reached us of revolutions and migrations among the tribes, which were occasioned by various political convulsions, not only before, but subsequently to, the siege of Troy. The last of these was the immigration of the Dorians and Ætolians into the Peloponnesus (B. C. 1104); from which period we may date the supremacy of the Hellenic name. 11. In consequence of this movement, the Dorians became possessors of the greater part of the Peloponnesus, the ancient inhabitants of which were either enslaved or expelled, or were incorporated into the Dorian tribe. The Achæans, who had previously occupied a considerable portion of the peninsula, were now forced to take refuge in Aigialos* (Achaia?); from which they expelled the Ionians, who migrated in the first instance to Attica, and thence at a later period to the western coast of Asia Minor, where colonies were also founded by other Grecian tribes. These migrations having gradually ceased, the different nations remained occupants each of its own distinct territory. 12. Of the principal tribes the Æolians possessed Bœotia, a part of Eubœa, some of the islands, as Lesbos and Tenêdos, and the coast of Mysia. The Ionians colonized Attica, a part of Eubœa, the Cyclâdes, and the coast of Lydia, with several of the islands. The Dorians had Doris, a great part of Peloponnesus, Megâris, Crete, and a number of the smaller islands. In some districts, especially in Northern Greece (Locris, Phocis, Ætolia, and Acarnania, for instance), we still find pre-Hellenic

* See prefatory note on the orthography of Greek names of deities, places, &c.

† Of the inhabitants of the Peloponnesus, the Arcadians and Cynurians were the only people who retained their original settlements (Autochthones)

tribes. In Thessaly dwelt the Thessalians, who had migrated from Thesprotia in Elis, the Mynyans and Ætolians; and in the colonies, a mixture of all the different races. Among the Ionians and Dorians, more than any other people, we find a distinctly marked family character, which manifests itself in their language, literature, cultivation of the arts, and political institutions.

§ 3. *Development of political institutions. Decline and fall of monarchy*

13. We learn from Homer that in the heroic age (B. C. 1384–1184) Greece was divided into a number of petty independent states, governed by kings, whose authority, though considered to be of divine origin, does not seem to have been very distinctly defined with reference either to the aristocracy or to the people. This separation into small states was of long continuance, nor do we, in fact, ever hear of any permanently established confederacy among the Greeks. The states were formed by the voluntary annexation of a district or tract of country to some city which had risen into importance by its trade or commerce. Hence the similarity of the words used to express the notions of “a city,” and “a state” (πόλις, πολιτεία, πολιτεύμα). 14. In these states (with the exception of Epirus) the form of government was gradually changed, between the years B. C. 1100 and 900, from the monarchical to the republican; a revolution which was favored by the innate love of the Greeks for freedom and independence, the insignificant extent of the states themselves, and the tendency of men’s residence together in cities to develop a civic constitution; especially when the low state of intellectual cultivation, their simpler political relations, and the general employment of slaves* (captives taken in war, or purchased from

* The purchase and use of slaves are repeatedly mentioned by Homer: the household of Ulysses is served by slaves, over whom their master exercises the power of life and death. But the use of such domestics was

the barbarians), placed all freemen on a comparatively equal footing. Not unfrequently the change of constitution was occasioned, or at least hastened, by the misconduct of the king himself.

§ 4. *The Aristocracy.*

15. The development, however, of the popular form of government was gradual. The first movement was made by the aristocracy, whose encroachments undermined the monarchy, and paved the way for more liberal institutions, without either violently overthrowing the kingly power, or assuming a hostile attitude against the as yet imperfectly developed democracy. The foundation of such an aristocracy was gentle birth (*εὐπατρίδαι, εὐγενεῖς*), with its accompanying personal qualifications, freehold property, knightly service (*γεωμόροι, ἵπποβόται, ἱππεῖς*), and at a later period, when commerce had increased, the possession of personal wealth (*οἱ πλούσιοι, οἱ τὰ χρήματα ἔχοντες*).

16. This distinction between the aristocracy and the people is expressed by the terms *οἱ καλοὶ καγαθοί, οἱ ἑσθλοί, οἱ ἄριστοι*, on the one side; and *οἱ πονηροί, οἱ δειλοί, οἱ κακοί*, on the other. Sometimes it was founded on the distinction between city and country, especially where foreign conquerors had taken possession of a town, and circumscribed the civil privileges of the vanquished. In such cases the latter were either permitted to retain their personal liberty and property, subject, however, to the payment of tribute and the forfeiture of their civic rights, or were deprived of their freedom, and became the bondsmen of their conquerors, like the Helots (*εἰλωτες*) at Sparta, or the Penestæ (*πενίσται*) in Thessaly.

perhaps nowhere very common, except in the houses of the great, and in several parts of Greece was not introduced till a later period. This is asserted by Herodotus (vi. 137) of the Greeks in general and of the Athenians in particular.—Thirlwall's *History of Greece*, vol. i. p. 83.

§ 5 *Development of the Democracy.—Struggle of parties.*

17. The taste for importance and influence in the state, when once excited, continued to enlarge its circle, so that the aristocracy was by no means permitted to remain in the undisturbed enjoyment of the power it had acquired. Such an aristocracy often degenerated into an oppressive oligarchy, which, although supported at first by its hereditary reputation, the preponderance of property and intelligence, and the possession of arms and fortified places, was not unfrequently involved in a fierce controversy with the newly aroused democratic spirit (*δημος*, *plebs*); which produced a general struggle between the aristocratic and democratic parties throughout the whole of Greece and her colonies. 18. The results of this struggle varied according to circumstances; but, in many instances, the popular party was triumphant, and succeeded in wresting from its rival the remission of debts due from the commons to the aristocracy, the privilege of intermarrying with the nobles, equality of civil rights, and a larger share in the administration. Sometimes these party contests led to the formation of a constitution, either through the personal authority of some individual (*αἰσχυρήται*) like Pittacus of Mitylene (B. C. 590), or by means of an established code of laws like those of Lycurgus at Sparta (B. C. 884), Zaleucus among the Epizephyrian Locrians, Charondas in Catana and several Chalcidic cities (both about the middle of the seventh century before Christ), and Solon at Athens (B. C. 594). 19. More frequently, however, the efforts of the democracy ended in the establishment, for a time, of an absolute anti-aristocratic monarchy (*τυραννίς*), in which the ruler's will was the only law. Such, for example, was the tyranny of Cypselus at Corinth (B. C. 655), who, with the assistance of the people, overthrew the oligarchy of the Bacchiadæ. This was especially the case in the seventh and sixth centuries before Christ; yet it would

be a mistake to suppose that absolute monarchy in those days, provided always that it did not degenerate into caprice or ferocity, was hostile to the people, or unfavorable to the expression of public opinion.

§ 6. *The same subject continued.*

20. The increase of navigation and commerce, the extension of their cities, and the more general diffusion of knowledge, were all favorable to the development of the democratic principle, which was, moreover, frequently promoted by the corruption of morals peculiar to an oligarchy; sometimes, too, it happened that some member of the oligarchical body became the leader of the popular party. The Persian war, whilst it awakened the consciousness of Greek nationality, and brought the different states into closer political contact, at once both raised the courage of the people, and weakened the resources of the aristocracy. In the Peloponnesian war (B. C. 431-404) the aristocratic party generally sided with Sparta, and the democratic with Athens; whilst during the whole war the struggles of the two factions continued as fiercely as ever in the several states. 21. At the end of this contest the aristocracy was victorious; but its abuse of the power thus acquired produced disturbances, banishments, and wars of extermination, in which we find foreign mercenaries serving in the place of native soldiers, who were themselves also frequently hired in the same manner by foreign powers. In many places there arose an unbridled and oppressive democracy, led by ambitious and selfish demagogues, which was resisted by oligarchic factions or associations (*ἰσχυραὶ, συννομαίαι*). 22. The demoralization produced during these struggles, sapped the very foundations of Grecian liberty, paved the way for the attempts of Philip of Macedon to obtain the sovereignty of all Greece, and made their country the theatre of various wars in the days of his successors. Yet in these very wars we witness, from time to time, flashes of the old Grecian

spirit: such, for instance, were the attempts at Sparta to overthrow the oligarchy, and re-establish the constitution of Lycurgus, and the struggle of the democratic Achæan league against the tyranny and power of the Macedonians.

§ 7. *Decline and fall of the Grecian states.*

23. In the midst of all this confusion, the arms of the Romans opened for themselves a way into Greece. The taking of Corinth (B. C. 146) gave the last blow to Grecian freedom. The political affairs of Greece were now managed by the Romans; but the governor of Macedonia still continued to exercise great influence, until the whole of Greece was at last incorporated into one province, under the name of Achaia. At the same time some of the cities were treated more indulgently than the rest; a few, such as Athens and Delphi, were even recognized as *liberæ civitates*. Nero's whim, at a later period, of proclaiming the independence of Greece, produced no results. The echo of her former literary renown was indeed heard in Athens, but national feeling and intellectual life were extinct; and the land, weakened already by Roman tyranny, and the struggles of the Greeks with one another, was utterly devastated in after times by the barbarian invaders.

§ 8. *General form of the constitution in the free states of Greece.*

24. As essential parts of every Hellenic constitution, whether aristocratic or democratic, we may notice the Senate and the Popular Assembly, both of which were always recognized from the days of the monarchy. In democratic states the sovereign power resided in the General Assembly of the people; in aristocratic, it was in the hands of the senate (*γερονσία*) or Assembly of the Notables. 25. The executive authority was vested in a host of commissioners, or of magistrates under vari-

ous names, who, according to the aristocratic or democratic form which the ever changing constitutions of the states happened for the moment to assume, were elected by a constituency, and under qualifications more or less limited, and continued in office during a longer or shorter period. These functionaries were also subject to a *δοκιμασία*, or trial, previously to entering on their office, and subsequently were required to give an account (*εὐθύνη*), before the supreme government, of the manner in which they had discharged its duties. 26. The judicial power was shared in various ways by the people, the senate, and the magistrates. The more important criminal charges were generally disposed of by the people or the senate, whilst private disputes were settled by magistrates or colleges of judges.

§ 9. *Ionic and Doric states, particularly Athens and Sparta.*

27. In that Grecian race, which, on account of its superior intelligence, developed its powers most rapidly, and by means of its commerce and navigation attained the highest state of prosperity (I mean the Ionic), democracy made the most rapid advances. The most important among the Ionic states was Athens, where the healthy life of democracy, and a yearning after a free and universal development, displayed itself more vigorously than elsewhere, but soon degenerated, as far as the multitude were concerned, into a one-sided struggle for equality, capricious treatment of the powerful, an envious opposition to superior vigor and capacity, unbridled licence and disobedience, and at last into coarse selfishness and empty vanity, which was made the tool of every demagogue and sycophant who chose to flatter it. 28. Among the Doric states, Sparta was the most considerable. Here the genuine Spartans, or inhabitants of the city, formed, in their relation to the Periceci or inhabitants of the country, an aristocracy, which at a later period became an op-

pressive oligarchy. Here, too, we find the notion, so universally prevalent among the ancients, of the state's supremacy over individual citizens, carried out to its utmost extent of severity; for the state made, so to speak, the individual its bondsman, broke up domestic life almost entirely, and rendered free development impossible. As long as an enthusiastic belief in the sanctity of the state, and a stern resolve to obey its laws and customs, reigned in the hearts of the people, Sparta flourished, and the unity and concentrated power of its constitution insured it victory over other nations; but the unnatural fetters in which individual freedom was bound by the constitution, could not stand the test of time; and an immoderate striving after power and riches ensued, which prepared the way for the ruin and dissolution of the Spartan commonwealth.

§ 10. *Points of union for the whole of Greece.—Festivals and Oracles.*

29. Greece possessed a system of commonwealths, each of which was recognized by the rest; but for the continuance of this recognition there existed no guarantee or written instrument, so that there was often nothing but an *opposition of interests* to restrain the violent encroachments of the more powerful. Still, though these little states were not only independent of each other, but often even on terms of hostility,⁹ the different nations found a bond of union in their general name of *Ἕλληνες*, the consciousness of their descent from the same ancestor, and a common language, religion, and manners (τὸ Ἑλληνικὸν εἶναι ὁμαίον τε καὶ ὁμόγλωσσον καὶ θεῶν ἰδρύματα τε κοινὰ καὶ θυσίαι ἥθεά τε ὁμότροπα, Herod. vii. 144); at all events, this nation-

⁹ Yet, at different periods we find larger or smaller portions of Greece united for particular purposes. Such was the Argonautic expedition in ancient times, the campaign of the seven princes against Thebes, and above all, the Trojan war. At a later period, most of the Greek states formed an alliance against the Persians.

ality was distinctly understood when they were opposed to foreigners or barbarians. The offspring of this consciousness was a sort of Grecian international law,* founded, however, on no distinct enactment, and liable to be set aside at any time by the stronger party. 30. To the religious institutions, by which this feeling of national unity was sustained, belonged their great feasts, and the Olympic, Delphic, Nemean, and Isthmian games; which, from mere local observances, attained by degrees the rank of national solemnities, and were attended by embassies from all the states, as well as by crowds of people from every part of Greece. Under this head we must also class the Oracles; especially that of Delphi, which enjoyed great reputation and influence in all the Grecian states.

§ 11. *Points of union for particular portions of Greece.*
 —*The Amphictyons local confederations, Symmachia, Hegemonia.*

31. We find that smaller portions of Greece were also united by religion; inasmuch as their feasts and common worship produced a closer relation (Amphictyonia) to one another, by means of which the observance of certain principles of international law was inculcated. Between the inhabitants of the same district we often meet with a sort of confederation (as in Bœotia); but the struggles of some individual states for supremacy, and the resistance of others, often weakened, or even broke up these alliances. Two of these leagues, the Achæan and Ætolian, obtained a temporary im-

* Examples of this may be found in the practice of sending ambassadors to each other before war was proclaimed, sometimes with authority to refer the dispute to arbitration; in the proclamation of war by heralds, whose persons were held sacred and inviolable; in the respect paid, during the continuance of hostilities, to temples, consecrated ground and priests, in the ransom of prisoners, and the infamy attached to those who refused to give up the dead, or misused their bodies; in the necessity of obtaining a special permission to pass with an armed force through the territories of another power; and the strictness with which the duties of private as well as public hospitality were observed.

portance towards the end of Grecian independence. 32. We read also of alliances called *Symmachiæ*, generally between nations of the same race, which were headed by the most powerful members of the confederacy; thus, for example, Sparta took the command of the other nations in the Persian war, and Athens at a later period was at the head of most of the Ionic states; but even these alliances were generally disturbed by the haughtiness and selfishness, with which the weaker party were treated by the more powerful.

§ 12. *Colonies.*

33. The Greek passion for separation and independence displayed itself in the peculiar relations which subsisted between their colonies and the mother country. Instead of clinging, as the Roman colonists did, to the state which sent them out, the Greek settlers always took the earliest opportunity of asserting their independence, and breaking off all connexion, except in matters of religion, with the parent commonwealth. In another point of view also these colonies gave proof of the vigour and intellectual superiority of the Hellenic race; for in the midst of barbarians, by whom they were surrounded on every side, they still preserved, and even spread their native language and national peculiarities.

THE HEROIC AGE.

§ 1. *Meaning of the term.*

34. By the heroic age we generally understand the period which elapsed between the first immigration of the Hellenes into Thessaly, and the expedition of the Dorians and Heraclidæ into Peloponnesus in the year B. C. 1104. The most distinguished representatives of

this period are Bellerophon, Perseus, Hercules, Theseus, Jason, and the other heroes of the Argonautic expedition, with the warriors who fought under the walls of Troy and Thebes. The accounts of this period are a medley of historical notices and mythical legends, which it is often impossible to separate from one another. 35. The epoch most familiar to us, as regards both the public and private life of the Greeks, is that of the Trojan war (B. C. 1184).¹ The poems from which we derive this knowledge, were, it is true, composed somewhat later than the events recorded by them, and have not, as is generally agreed, come down to us in their original form; still they bear the stamp of truth and harmony so deeply impressed, that we may safely admit them as real representations of the times which they describe.²

§ 2. Civilization.

36. In those early times fierceness and brutality, war and robbery, reigned almost without control. These evils were combated indeed by such heroes as Minos (the putter down of piracy), Theseus, and Hercules; but even at the period of the Trojan war, civilization was still in its infancy. Violence in action and coarseness of speech had by no means disappeared; piratical expeditions and forages into neighbouring states (for the purpose generally of driving off their cattle), with the usual reprisals on the part of the plundered, were of perpetual occurrence; nor were murder and sanguinary revenge by any means uncommon. On the other hand traces of a milder and more hu-

¹ The *Iliad* and *Odyssey* are poems of which we cannot determine the exact date, but which seem both to have existed prior to the first Olympiad, B. C. 776, our earliest trustworthy mark of Grecian time.—Grote's *Hist. of Greece*, vol. i. p. 485.

² Homer is supposed to have flourished about B. C. 1000. Respecting the poems of Homer, the authorship, authenticity, design, &c., consult Grote's *Hist. of Greece*, vol. i. pp. 434–459; vol. ii. pp. 159–277; Thirlwall's *Hist. of Greece*, vol. i. pp. 108–110; Anthon's *Classical Dict'y*, articles *Homerus*, *Ilias* and *Odyssea*; &c. &c.

mane spirit are not wanting. 37. The influence of religion was felt in various shapes; men looked upon the persons of heralds as sacred, and respected leagues and armistices. To set against the fierce outbreaks of passion, many instances may be produced of self-control, moderation, and respect to the aged and experienced. Public opinion began to make itself respected, and the fear of public censure to have its effect on the powerful. 38. We meet with numerous examples of friendship (Theseus and Pirithous, Achilles and Patroclus, Orestes and Pylades); of kindly intercourse with old and faithful servants (Eumæus and Eryclæa) and of connubial and parental affection. The stranger,³ the necessitous, or the exile, might depend on being hospitably received for the sake of Zeus (Jupiter), their protector (Ζεὺς ξένιος, ἰκετήσιος, ἐπιτιμῆτωρ ἰκετάων τε ξένων τε). Connexions of hospitality between ancestors were remembered and respected by their descendants. 39. We read of πτωχῶν θεοὶ καὶ Ἐρινύες. Strangers received a friendly welcome, and were asked no question until they had partaken of the family meal. Presents were also given to them (ξενίῳ, Il. ix. 197. xviii. 369. Od. iii. 29. 69. iv. 20). 40. Minstrels (ἐρῆρες αἰοδοί), as Phemius at Ithaca and Demodocus among the Phæacians, enjoyed distinguished favour and respect (Od. viii. 472—481), for at a very early period the Greeks had learnt to ascribe the outpourings of genius to divine inspiration (θεῖος, θέσις αἰοδός, θεὸς ὅπασε θέσιν αἰοδῆν, Od. viii. 498. θεὸς δέ μοι ἐν φρεσὶν οἶμας παρτοίας ἐρέουσεν, Hesiod. Theog. v. 94). Sometimes, but more rarely, we read of heroes (as Achilles) or the people, raising a song. (Il. i. 472. ix. 186.)

protector of the
rights of hospitality,
Tutelary god of
suppliants.

§ 3. *The State, and its constitution in general.*

41. Politics were yet in their infancy. The idea of one all-pervading political life not being yet devel-

³ That the *immigrant* was merely tolerated and protected, but enjoyed no rights or distinctions, may be inferred from such expressions as ἐρίμνος μετανάστης.

oped, men's notions of a commonwealth, whether in its external relations to other states, or its internal arrangements, were wavering and undefined. Of any recognized rights of nations we find only a few feeble traces; for instance, in the inviolability of heralds. The internal economy of the commonwealth was gradually developed after a model taken from private life. 42. Thus the most ancient form of government, existing even in the heroic ages, was the patriarchal monarchy, which does not seem to have possessed any very distinct character, or to have defined very accurately the rights and duties either of prince or people. We find, with the King, an aristocracy distinguished by their ability, or skill in the use of weapons, or property, with a pedigree derived by tradition from the gods; and, finally, a large body of free citizens. But the privileges of these three powers in the state were defined by no laws, and in many instances ran imperceptibly into one another.⁴

§ 4. *The King.*

43. The kingly office was esteemed sacred; for men looked upon the power of Kings (Il. ix. 98), as well as their pedigree, as derived from the gods, and respected their persons as being under the immediate protection of Zeus (Jupiter) himself (Il. ii. 197. διοτρεφέες βασιλῆες, διογενεῖς, Hom. ἐκ δὲ Διὸς βασιλῆες, Hesiod); but the estimation in which the sovereign power was held depended also on personal qualifications, and was by no means secure against usurpation; as we find in the instances of Penelope's suitors, and Ægisthus. 44. The form of government, however, was not al-

⁴ On the whole, the society depicted in the old Greek poems is loose and unsettled, presenting very little of legal restraint, and still less of legal protection, but concentrating such political power as does exist in the hands of a legitimate hereditary king, whose ascendancy over the other chiefs is more or less complete, according to his personal force and character; whether that ascendancy be greater or less, however, the mass of the people is in either case politically passive and of little account.—Grote's *Hist. of Greece*, vol. ii. p. 106.

ways monarchical ; at least we read in Homer's catalogue of the ships, that of the nations there enumerated some had two leaders (as the Bæotians, Phocians, and Cretans), some three with a commander-in-chief (as Argos and several cities in Argolis), and others four (as the Eleans). Generally speaking, the throne was hereditary, but without any very definite settlement of the order of succession ; in default of male heirs it might descend to a female, as in the instance of Helena. The King (ὁ βασιλεύς) commanded the army in time of war, administered justice in conjunction with the Senate (δικασπόλοι, θεμιστοπόλοι βασιλῆες), and offered the public sacrifices, although, in other respects, his office was distinct from the priesthood. 45. Ill-defined as the boundaries between right and wrong were in individual cases, there was not wanting a general idea of the duties of Kings, which displayed itself in complaints when their power was capriciously abused, and in praises of a paternal government. (Il. ii. 24. i. 231. xii. 310. Od. iv. 630. ii. 234.) Their ensign of dignity was the sceptre (σκῆπτρον*), a staff, which they always bore on public occasions. They were attended by κήρυκες heralds, and official servants. Among their prerogatives (τιμή, γέρας) were precedence at public assemblies and conferences, a separate portion of land (τέμενος), presents and tributes (δῶρα, δωτῖναι, θέμιστες), and the first choice of the booty taken in war, of which they received also a larger share than others.

§ 5. *The Aristocracy.*

46. The aristocracy were distinguished by the names of ἥρωες, ἄριστοι, ἀριστῆες, ἔξοχοι ἄνδρες. With reference to their dignity they were also called γέροντες and βασιλῆες, and on account of their share in the deliberations of the Council or Senate (βουλῇ) had the title of king's counsellors (βουλευφόροι ἄνδρες). They took part in affairs of state, composed the flower of the

* Sceptres were also borne by heralds, generals, when they harangued the people, and judges.

army, and enjoyed in consequence peculiar distinctions (*γέρας, οἶκος γερούσιος*). Agamemnon had for his council the princes, who were sovereigns in their own lands; Priam had the Trojan *δημογέροντες*, and Alcinoüs the Phæacian *βασιλῆες*.

§ 6. *The People.*

47. The mass of free burghers (*δῆμος, λαός* or *λαοί*) composed the general Assembly of the people (*ἀγορή*). Their power, although unconfirmed by any distinct recognition of their privileges, was by no means without influence, nor was it ever safe to resist the open expression of public opinion (Od. xiv. 239. xvi. 425.) It does not seem, however, that the Assemblies were ever convened for the express purpose of deciding questions, or at certain definite periods, but rather came together, as occasion required, to receive communications, or convey their wishes to the king, as a guide for his conduct. No expression of dissent is mentioned, but simply of approbation (Il. ii. 335); still less does any individual ever seem to have possessed the power of coming forward on his own authority. 48. Chryses (Il. i. 15) addresses himself, it is true, to all the Achæans, who express their approbation of his arguments. Agamemnon, nevertheless, in spite of this demonstration decides the question himself, and that without any remonstrance from the Assembly. In the second book of the Iliad, Agamemnon pretends to consult the people on the subject of their return to Greece; but although they eagerly embrace the proposal, we find the will of their princes carried into effect by means of persuasion, threats, and blows. Thersites, ugly and deformed, but fluent in speech, and the only man who dared to express his opinion unreservedly, is roughly handled by Odysseus (Ulysses), to the great delight and satisfaction of the people. We read of classifications or sections of the people under the names of *φύλα* and *πρῆτα*.

§ 7. *Administration of Justice.*

49. The administration of justice was not directed by any fixed written laws (the expression *νόμος*, *Law*, never occurs in Homer),⁶ but depended on certain maxims founded on experience and ancient custom (*δίκη* and *θέμις*), and was supposed to be under the especial protection of the gods, particularly of Zeus and Themis (Il. i. 239. Od. ii. 69). The government seems to have concerned itself very very little about private disputes, unless the parties themselves wished the matter to be decided publicly or by arbitration. In such cases, the more important questions were settled by the king, generally with the assistance of his Council of Elders (*βουλή γερόντων*), according to the rules of equity, or of some custom sanctioned by divine authority (*θέμιστες*). Most of these cases seem to have been claims of compensation for murders or injury to property. The murderer endeavoured to propitiate the family of the murdered man by submitting to a fine (*ποινή*), Il. ix. 633—636; but if he failed in arranging this, he escaped their vengeance by voluntary exile. The form of such a process is seen in Il. xviii. 407—508.

§ 8. *Religion.*

50. The supernatural world of the Greeks, as its image was impressed on the minds of the people by the lively representations of Homer's poetry, was peopled with beings who exercised a control over nature, but were subject to human passions and lusts, and maintained a constant intercourse with mankind.

51. The means by which man approached the gods were prayers and vows (*εὐχαί*, *εὐχολή*, *λιταί*: *ἀρᾶσθαι*, *εὐχεσθαι*, *χεῖρας ἀνέχειν*, *ὀρέγχειν*, *γονάτισθαι*), libations (*σπένδειν*, *λείβειν*: *χοή*, *σπονδαὶ ἄκοητοι*), sacrifices⁷ (*θύσιναι*, *θυσίαι*).

⁶ It occurs only twice in Hesiod's "*Works and Days*" (276, 338).

⁷ The mythic legends often mention human sacrifices. In Homer we

ἱερὰ ῥέζειν) of oxen, sheep, and goats, sometimes in great numbers (ἐκατόμβη), of beasts without blemish (τέλειος) which had never laboured for man. Sometimes the horns of the victims were gilded. For the sacrificial usages compare Homer, Il. i. 448, ii. 420. Od. iii. 436. Oaths were confirmed by a sacrifice (ὄρκια τάμνειν, Il. iii. 105), and libations. Other gifts (δῶρα, ἀγάλματα, θύεα) were presented to the gods as expiatory or thank-offerings; Hecuba, for instance, (Il. vi. 293) offered a πέπλος to Athēnē (Minerva). 52. Prayers, libations, and sacrifices were also accompanied by purification or washing of hands (ἀπολυμαίνεσθαι, χεῖρας νίπτεσθαι).

§ 9. Temples—Priests and Prophets—Oracles.

53. The objects employed in the worship of the gods were Temples (νῆός, δόμος), consecrated Groves or enclosures (τέμενος), and Altars (βωμός). In the temple of Apollo, or the Acropolis of Troy we hear of an ἄδύτον, and in the temple of Athēnē (Minerva) on the same hill there was a statue of the goddess. Worship was performed by the master of the family, and in the case of public sacrifices by leaders or kings. There were, however, priests especially set apart for the service of certain gods or temples (ἱερεῖς, ~~καρνεῖς~~, θυοσκόοι), as Chryses, the priest of Apollo. 54. Mention is also made of diviners and wizards (μάντιες, ~~θεοπρόποι~~), who foretold events from signs (τέρατα, ~~σημεία~~), such as thunder and lightning; or from the song and flight of birds, especially birds of prey (οἰωνοπόλοι, ~~οἰωνοσταί~~, δεξιῶς ὄρνις); or from dreams (ὄνειροπόλοι). At a very early period we find traces of certain sacerdotal families, in which the priestly office was hereditary; and of oracles—as for example, the oracle of Zeus (Jupiter) at Dodōna, in Epirus, where the god made his revelations from a sacred oak (ἐκ δρυὸς ὑψικόμοιο), and the Pythian oracle of Apollo (χρείων Φοῖβος Ἀπόλλων).

find Achilles offering twelve Trojans to the ghost of Patroclus.—See Thirlwall's *Hist. of Greece*, vol. i. pp. 93, 94.

§ 10. War. Offensive and defensive arms.

55. The weapons of the old rough times were stones and clubs, the latter of which were wielded by Hercules and Orion. The club (*κορύνη*⁸) was never employed by Homer's heroes, but it is mentioned in Il. vii. 138 (*Ἀρηϊδοὺς κορυνήτης*). Stones (*χερμάδιον*) were used occasionally. 56. Their offensive weapons were bows and arrows (*τόξον*, *νευρά βόεϊα*, *ἰός*, *ἄσπετος*, *βέλος*⁹), quivers (*φαρέτηρ*), the spear (*δόρυ*, *ἔγχος*, *ἡγχαία*, *ἔσπετος*, *μελία*¹), with its head of bronze (*αἰχμή χαλκίη*), and the *σανρωτήρ* or *οὐραῖος*,² the spiked end of the lower extremity of the shaft: the sword (*φάσγανον*, *ἄορ*, *ξίφος*), with its scabbard (*κολεόν*) and strap (*τελαμών* or *ἀορτήρ*). Slings (*σφενδόνη*) and battle-axes (*ἄξις*, *πέλεκυς*) were sometimes, but rarely, used. 57. The defensive arms were the helmet (*κόρυς*, *κνρή*, *πέλις*, ~~*εὐφράλεια*, *σσεφάη*, *ἀρχαῖος*~~) with a crest of horsehair (*λόφος ἵππειος* or *ἵπποχαίτης*, *κόρυς ἵππουρις*, *ἵπποδάμοια*, *(ἵπποδάμος)*) and one or more *φάλοι* or bosses; mention is also made of a low morion without a crest (*κασσίνης*), and the cuirass (*θώραξ*, consisting of two pieces, *γύαλα*, ~~*καὶ πεπρωτός*~~). Hence *Ἀχαιοὶ χαλκοχίτωνες*: but Ajax, the son of Oileus, was *λινοθώραξ*, i. e. wore a breastplate of linen. 58. They had also belts, and waistbands (*ζωστήρ*, *ζῶμα*, *μίτρα*³), greaves (*κνημίδες*), a shield (*σάκος*, *ἀσπίς*) of skins and plates of brass, with a knob or boss (*ὀμφαλός*) in the middle, and a leathern rim (*ἄντηξ*): it was furnished on the inside with cross-bars (*κάνονες*) and a thong (*τελαμών*). There were also lighter shields (*λαισήϊα*). The metal usually employed was bronze or copper. Iron was used for axes: silver, polished steel (*κύανος*),

⁸ *Κορύνη* in Homer, and in the Attic poets; except Eur. Suppl. 715.

⁹ A general name for all missile weapons.

¹ *Μελία* properly *ash-tree*: the shaft being frequently the barked and polished stem of a young ash.

² In Attic or common Greek *οὐραξ*.

³ The *ζωστήρ* was worn *above* the *ζῶμα* and *μίτρα*, Ion. -η (i. e. *woollen* and sometimes *plated* belt worn about the abdomen). It seems to have been a constituent part of the cuirass, serving to fasten it by means of a buckle, and also affording an additional protection to the body, and having a short petticoat attached to it.

and tin (κασσίτερος) to ornament their armour. The complete equipment of a warrior was termed τεύχεα, also ὄπλα (in the Iliad), and ἔντεα.

§ 11. The Battle.

59. The art of war was in its infancy in the heroic age; the fate of a battle being mostly decided rather by the bravery of individual warriors than by any well-considered arrangements or the application of military tactics. We do, it is true, find some traces of discipline in Il. ii. 362. iv. 297. Nestor and Mnestheus are celebrated for their acquaintance with it; and the quiet and steady march of the Achæans is contrasted with the noisy advance of the Trojans: but all this seems to have been of little consequence in the actual battle. 60. In Homer's descriptions scarcely any thing is mentioned except the exploits of leaders and heroes. These generally fought in two-wheeled chariots (ἄρμα, ὄχημα: also δίφρος—signifying literally a seat for two persons), with two horses (διζυγες ἵπποι) and sometimes a third (παρήορος; an outrigger). In the chariot were two men (ἱππῆες), a charioteer and a warrior (ἡνίοχος or ἡνιοχὴς and παραβάτης). These advanced as champions (πρόμαχοι) into the space between the two armies (πολέμου γέφυραι), and either charged the enemy in their chariot, or began a single combat on foot, first with the spear and afterwards with the sword. Thus the battle was decided in a great measure by the personal bravery of the leaders, whilst the courage of their followers was at the same time excited by their cheering shouts (hence the epithet βοὴν ἀγαθός). The infantry (πυλῆες, πεζοί) followed in compact masses (πυκιναὶ φάλαγγες, στίχες, πύργος). 61. The spoils (τὰ ἔσπρα) and the prisoners were delivered up to the leader, to be divided, after he had chosen a portion for himself, and sometimes extraordinary presents for the bravest of his followers. Those who had fallen were stript of their armour (ἔσπρα βροτόεντα). A fierce struggle often took place for the pos-

session of the dead bodies. If they remained in the power of the enemy, permission was sometimes obtained to bury them, or they were ransomed by their relations. Prisoners also were sometimes ransomed in the same manner.

§ 12. *Camps—Sieges.*

62. We do not find in the Trojan war a siege conducted on scientific principles.⁴ Troy was fortified, and had a wall provided with towers (*ἀκρόπολις, πόλις ἐνπυργός*). The Greeks protected their camp with a rampart, or a wall (*τείχος, πύργοι*) with battlements (*κρόσσαι, ἐπαλξεις*), a ditch in front (*τάφος*), and palisades (*σκόλοπες*). Il. vii. 327. 434. In the wall was a gate (*πύλαι*) for the egress of their chariots. The camp was in the neighbourhood of the ships (which were hauled up on land) and consisted of huts composed of earth or wood (*κλισίαι*). 63. There seem to have been no *regular* sentinels or outposts (Il. ix. 66. vii. 371); only the disabled and unserviceable were stationed on the walls (Il. xviii. 514. viii. 517): nor had they any settled plan for sending out scouts. In the 10th book of the Iliad we read of them as employed by both sides. The fate of a city taken by storm may be learnt from Il. ix. 591. Od. viii. 528.

§ 13. *Navigation—Ships.*

64. It would appear that the Greeks were induced by the natural advantages of their country, to practise navigation at a very early period; for before the Trojan war, we read of their undertaking the Argonautic expedition.⁵ The vessels, which conveyed the Greeks

⁴ In connection with this point the student will be interested in an article entitled "Napoleon on the Capture of Troy," in the *Classical Museum*, vol. i. p. 205.

⁵ Respecting the Expedition of the Argonauts, consult Grote's *Hist. of Greece*, vol. i. pp. 316-348; Thirlwall's *Hist. of Greece*, vol. i. pp. 77-79.

* *equal, well trenched, rowed on both sides*
 to Troy (*ἤες εἶσαι, εὐσσελμοι, ἀμφιέλισσαι, γαυροί, κορυ-
 νίδες, ποτιπόροι, κυανόπρωροι, μίλτοπαρῃοι*), are enumer-
 ated in the second book of the Iliad; but the Catalogue
 is not to be relied on. During the siege they were
 hauled up on land, and rested on shores or wooden
 props (*ἔρματα*). According to the number given in
 Homer's Catalogue, each ship contained from fifty to a
 hundred and twenty men.⁶ 65. The most important
 parts of the vessel were: *σειρή*, the keel; *πηδάλιον*, the
 rudder; *ἱκρία*, the deck, (also the upright side timbers
 on which the deck rests); *ζυγά* or *κληῖδες*, the thwarts
 or rowers' benches; *ἔρετμός*, the oar (in the Odyssey
 also called *κώπη*, strictly speaking the handle of the oar);
ῥῆς πρόρη, the forecastle or prow; *ῥῆς πρύμνη*, the after-
 part or stern; *ιστός*, the mast, which was made fast to
 the fore and after parts of the ship by the stays (*πρό-
 τανοι*); *ιστίον*, the sail; *ῥπλα* the ropes, such as the
πρυμνήσια and *πέσπανα*, the *ὑπεραι*, *κάλτοι*, and *πόδες*.
 Ulysses builds a ship, (Odyssey, v. 243.) Homer does
 not describe any sea-fight, but he mentions a sort of
 poles employed on such occasions (*ἑστὰ ναύμαχα*). We
 read also of broad vessels of burden (*φορτίδες εὐρεῖαι*).

§ 14. Domestic life of the Greeks.—Means of support. —Employments.

66. The most universal source of wealth in the
 heroic age was the rearing of cattle. Rich men are
 called *ἄνδρες πολυβοῦνται, πολυῤῥήνες, πολυἄρνες, πολὺμηλοι*.
 But that agriculture was also at a very early period an
 important pursuit may be gathered from the writings
 of Hesiod, as well as from various passages in Homer,
 particularly those in which he uses similes derived from
 husbandry (Il. xi. 67. xviii. 540. 560). For their
 ploughs they employed oxen and mules. We read also
 of the cultivation of fruit (especially the vine), and of

⁶ In ancient Greece the Penteconter seems to have been for a long pe-
 riod the usual vessel of war. Triremes were first built about the year B.
 C. 700, but it was some time before they were in common use.

* *equal ships = built alike on both sides*

hunting and fishing. 67. Their chief men, it would appear, were accustomed to employ themselves in agriculture, the breeding of cattle, and all sorts of labour. Thus we find Ulysses himself preparing his bed and building a vessel. In the same way we see the wives and daughters of kings engaged in weaving, sewing, and washing (as Helena, Penelope, and Nausicaa). The harder labour, however, was performed by male and female slaves (*δμῶες, δμωαί, ἀμφίπολοι*), who were either born in the country or purchased, and by *θήτες*, poor hired workmen. An important female domestic was the *ταμὴ* or housekeeper. 68. The amusements mentioned were ~~chess~~ (among the suitors of Penelope), throwing the quoit and hunting-spear (*αἰμαίνεαι*) among the besiegers of Troy, and various sorts of athletic games among the Phæacians. Similar sports were practised at the funeral of Patroclus (Il. xxiii. 257. 897), such as racing, boxing, wrestling, leaping, fencing, throwing the quoit and lance, and archery.

draught to
πρόσθε

§ 15. Arts—Commerce.

69. It is clear from the poems of Homer that the Greeks were acquainted at a very early period with many of the arts, which contribute to the comfort and elegance of life. The expression *δημοιοεργός* comprehends all those who exercised mechanical trades (thus excluding diviners, physicians, minstrels, and heralds); it is also used for carpenters in Od. xvii. 383. xix. 135. 70. Among the arts we must especially notice architecture, and the working in metals, especially in bronze or copper, *χαλκός*; but also in iron, gold, silver, and tin, (*σίδηρος, χρυσός, ἄργυρος, κασσίτερος*), and in *ἤλεκτρος* (amber, or, according to some authorities, a compound of

working for
the people

⁷ The *θεράπων* differed from the slave; the term is in fact often used to signify a comrade in war (such as Patroclus was to Achilles, Meriones to Idomeneus, &c.) The word *ἀνδράποδον* is used only once (Il. vii. 475); *δοῦλος* is never employed by Homer; and *δοῦλη* only once (Il. iii. 409). On festive occasions heralds (*κήρυκες*) performed also the duties of servants to persons of distinction. There is scarcely any difference between the terms *ἀμφίπολος* and *δμωή*. Compare 14, note ⁶.

gold and silver).⁸ Ornaments of ivory were also common. 71. Trade was carried on at an early period with the inhabitants of Sidon in Phœnicia, who brought them costly clothing, glass wares, and ornaments or toys (~~ἀντίμαχα~~). For weights we have χρυσοῖο τάλαντον and ἡμιστάλαντον. Coined money is not mentioned;⁹ the measure of value being a certain number of heads of cattle (ἐκατόμβοις, ἑννέαβοις). During the siege of ⁹ ~~Troy~~ the Lemnians brought wine, which they exchanged with the Achæans for brass, iron, hides, bullocks, and slaves (Il. vii. 467).

§ 16. Domestic affairs—Marriage—Education.

72. The life of the Grecian women, as it is pictured in the Odyssey, although domestic, was very different from oriental seclusion. The marriage tie was respected (Penelope, Andromache, Arête: ~~τοῖσι ἀνὴρ ἀγαθὸς καὶ ἐξέμενα, καὶ αἰνέον (ἄλοχος) φαίετο καὶ ἡμέραι.~~ Il. ix. 341. Od. vi. 182). This also appears from Hector's conversation with his wife (Il. vi. 407), and from the refusal of Penelope to marry any of the suitors (~~καὶ τὴν αἰδομένη πόσιος δέμιον ἐπὶ τῷ ᾄον~~, Od. xix. 527). The lawful wife was called κοῦριδιή ἄλοχος or ἄκοιτις (in contradistinction to the παλλακίδες or concubines), and the children born in wedlock γνήσιοι, ἰθαγενεές, whilst the others were termed νόθοι.¹ 73. Marriage was contracted from mutual affection, and with the free consent of the parents (Od. ii. 114. Il. ix. 394). The form consisted in a sort of purchase, the bridegroom making presents (ἔδνα) to the parents of the bride. We read

⁸ See Liddell & Scott, s. v. ἡλεκτρον, and Grote's *Hist. of Greece*, vol. ii. p. 139, note.

⁹ Pheidon, ruler of Argos in the first generation of the Olympic æra, seems to have been the inventor of coined money, as well as of weights and measures. Compare Grote's *Hist. of Greece*, vol. ii. p. 156.

¹ The illegitimate children were sometimes brought up at home. In Il. v. 70, one is mentioned who remained in the house and was kindly treated by the step-mother. Telamon also educates his natural son at home; Priam's legitimate and illegitimate children sit in the same chariot (Il. ix. 102).

Heralds² or public servants (*κήρυκες, κοῦροι, οἰνοχοοί*) poured the wine out of the large vessels in which it was mixed with water (*κητήρ*), into smaller cups (*δέπας, κύπελλον, δέπας ἀμφικύπελλον*³). On festive occasions less water was employed in the mixture. A complete banquet was celebrated with minstrelsy, instrumental music,⁴ and dancing (Il. i. 603. Od. i. 152. viii. 99).

§ 18. Dress.

77. The clothing of the men consisted of an under tunic (*χιτών*), generally short, although we also hear of a *χιτών τερμύεις*: the epithets generally applied to this part of the dress are *λαμπρός, ἑναιπτος, σιγαλίος, νηπύριος*. When they went out, a wide mantle (*φάρος*, also mentioned as an article of female dress) or *χλαῖνα* (a term applied only to the woollen cloak worn by men) was thrown over the tunic. The epithets applied to it were *ἀνεμοσκαπής, ἀλεξάνεμος, οὔλη, φοινικέσσα, δαυλή, ἑνὶ φανδί*. The hair was worn long; *καρηκομοῶντες Ἀχαιοί*.⁵ Their feet were protected by leathern soles (*πέδιλα, ὑποδήματα*), which were bound under the foot, when they went out. 78. The women wore the *πέπλος*, a wide garment in which the body was enveloped (*ἱανός, ποικίλος*). Their clothes were bound together with a girdle, *ζώνη (καλή, χρυσεή)*, and fastened with *περόαι* and *ἐνεταιί*. Their head-dresses were the *κρήδεμνον*, a sort of head-band or veil, and the *καλύπτρη*. To the female dress belong the *ἔρματα*, ear-rings (*ταίρινα, σφρόντα*); necklaces (*ὄφρα*), armlets (*ἐλπίες*), &c.

² See 67, note 7.

³ A costly goblet of superior workmanship is called *ἀλεισον*, a more simple one *σκόφος* and *κισσύβιον*.

⁴ Of musical instruments we meet with the *κίθαρις, φόρμιγξ, αὐλός*, and *σφριγξ*. The *λύρη* is also mentioned in Hom. Hymn. Merc. 423.

⁵ Long and well-dressed hair was generally considered an ornament. Hence the epithet *ἐνπλόκαμος* applied to Eos, Artemis, and the Nymphs *ξανθός* to Demeter, Achilles, Ulysses Rhadamanthus, Menelaus, and Meleager.

§ 19. Houses.

79. The residences of men of rank were called *halls*-*μέγαρα* (a term used also to express single rooms), *δομοί*, and *δῶματα*. The whole building was surrounded by a wall (*τοιῖχος*, *ἔρκος*, *ἔρκιον*), through a gate in which (*πύλαι*, *θύραι δικλίδες*) visitors entered into a spacious court (*αὐλή*). On the inside of the wall was a corridor (*αἶθουσα*). There was also a similar *αἶθουσα* in front of the house, the middle of which was called *πρόδομος*. In it was the *πρόθυρον*, or front-door (it signifies also the space immediately in front of the house). The front room, which was also the largest, was called *δῶμα* (*δόμος* or *μέγαρον* also). 80. There were also side apartments (*θάλαμοι*, *οἴκοι*). Sometimes we hear of an upper story (*ὑπερώϊον*), where Penelope lived in the palace of Ulysses. Among the larger and more elegant houses we find the house of Menelaus, mentioned in *Od.* iv. 44. 46; that of the Phæacian king Alcinous (*Od.* vii. 85. 101), and that of Priam (*Il.* vi. 242); but the loose and indefinite manner in which houses and apartments are generally mentioned by Homer, renders it very difficult to form a correct notion of their several parts.

hedge
enclosure
door
leading the way

§ 20. Furniture.

81. The articles of furniture most frequently mentioned, are *θρόνοι*, raised seats, with a footstool (*θρῆνυς*) and cushions (*τάπητες*, *κόσται*, *θήραι*, *ῥαλῆναι*), other seats or benches (*κλισμός* and *κλισία*), chairs (*δίφρος*), tables (*τράπεζα*), tripods (*τρίπους*), which were often given as rewards for victory, or presents, (as were also caldrons or basins, (*λάβρος*), beds (*λέχος*, *δέμμιον*, *λέκτρον*), with their furniture or bed-covers (*ῥήγος*), consisting of skins or fleeces (*κῶας*, *τό*), and sheets (*λινοιο λεπτὸν ἄνωτον*, *Il.* ix. 661.) In the houses we find warm baths (*θερμὰ λουτήρι*), with bathing-tubs (*ὑπερμεθες*, *ἦ*).

An upper garment with a rough outside and the finest lined off of flax

SPARTA (ἡ Σπάρτα).

CHOROGRAPHY.

§ 1. *The Country.*

82. *Λακωνική* or *Λακεδαίμων* is a mountainous country, divided through its whole extent from north to south, by two branches of the Arcadian chain, Ταῦγῆ-tus, the western, which is very lofty, and Parnon, the eastern. Between these two chains lies an extensive valley (κοίλη, *Λακεδαίμων*, Il. ii 581), watered by the Eurōtas, a river which rises in the north on the borders of Arcadia, and discharges itself into the Laconic gulf. The eastern chain terminates in the promontory of Malēa (or Malēa), the western in Tēnārus or Tēnarium. The valley of the Eurotas is narrow towards the north, but becomes wider towards the south, and contains some fruitful spots. The strip of land which runs along the coast on the other side of the mountains has also some valleys which admit of cultivation. The country is fortified by nature; high mountain tracts, with few and narrow passes, rendering invasion very difficult.*

§ 2. *The Capital.*

83. The capital of this country was Σπάρτα or *Λακεδαίμων*, on the western bank of the Eurotas. Among the public buildings of the city were the *Περσική*, a colonnade built from the Persian spoils; the *Σκιάς*, in after times a place of meeting for the people;

* The greater part of Messenia belonged to the empire of the Attridæ; but was separated from it at the Doric immigration. Subsequently it was re-conquered by the Spartans, who held it until the battle of Leuctra, when it was enfranchised by the Thebans. Between Laconia and Argolis lay the district of Cynuria, the inhabitants of which are mentioned by Herodotus as Autochthōnes of Ionic descent, who were *doricized* by the Argives. This district was a perpetual bone of contention between the Lacedæmonians and Argives, until it was subdued by the former, B. C. 550.

and several *Ἀέσχαι*. ^{*Agrove of plane trees -*} The principal open places were the Χορός, where warlike dances were performed; and the Δρόμος and Πλατανιστάς, two exercise-grounds. ^{*protecting a city*} The largest Temple was that of Athēne (*πολιεύχος*, ^{*trojan name*} Dor. *πολιάοχος*, *χαλκίοικος*) on the Acropolis. 84. Lacedæmon was divided into *κῶμαι* or *φυλαί*, of which the names of four are known to us, viz., Pitāna, Limnæ, Mesōa, and Cynosūra. Some writers add a fifth, Dyme.

HISTORICAL OUTLINE.

§ 1. *Ancient history.*

^{*nucle*} 85. The most ancient inhabitants of the land were the Pelasgi and Lelōges. At the period of the Trojan war we find the Achæans mentioned as the most powerful people, and the family of the Atridæ as being in possession of part of Argolis and all Lacedæmon. The greater part of Messenia belonged also to this empire. 86. Eighty years after the Trojan war (B. C. 1104) the Doric race, whose original settlement is said to have been in Thessaly, invaded the Peloponnesus under the command of the Heraclidæ, and in conjunction with the Ætolians, and made themselves masters of a great part of the peninsula.⁷ 87. The empire of the Atridæ was divided among their Heraclian leaders, of whom Temēnus received Argos; Cresphontes, Messenia; and the sons of Aristodēmus, Pro-

⁷ When the Dorians invaded the Peloponnesus, the only Pelasgic tribe remaining was that of the Arcadians, who long retained their independence. At Corinth the Sisypheidæ were the rulers, in southern Elis the Nelidæ (both of Æolian extraction); in northern Elis, the Epeans, and in Ægialos the Ionians. With the exception of Argos, Lacedæmon and Messenia, the Dorians by degrees made themselves masters of the rest of Argolis, Corinth, Sicyon and Phlius (also of Megāris and Ægina). Thus the greater part of the Peloponnesus was in the power of the Dorians, and northern Elis in that of the Ætolians. Here and there we find more ancient tribes, such as the Cynurians (of Ionic race) between Laconia and Argolis; the Dryōpes in Argolis, Minyans, from Lemnos, in Triphylia, &c. See Thirlwall's *Hist. of Greece*, vol. i. p. 110—124

cles and Eurysthēnes, Laconia, where by degrees they subjugated the ancient inhabitants, who were either made tributary and robbed of their rights as citizens, (Periæci, Lacedæmonians, in the more confined sense of the word, 96 note), or perhaps, in case of obstinate resistance or insurrection, were even deprived of freedom altogether (Helōtes). In Lacedæmon the Doric race displayed its peculiar character in the great independence of the people and their freedom from foreign influence.

§ 2. *Administration of Lycurgus.* *omit*

88. We know very little of the Lacedæmonian commonwealth during the times which immediately succeeded the Doric immigration. At a very early period it seems to have been the theatre of contentions between the kings and people. Lycurgus however (about the year B. C. 884) re-established order by creating or (to speak more correctly) shaping and strengthening out of elements which already existed, a constitution, built upon the solid foundation of hereditary custom and precedent. This form of government, whilst it permitted to the citizens the right of laboring for their own support, at the same time strictly enforced the subjection of the individual to the commonwealth; man's whole existence was to be circumscribed within the limits of the citizen's political life; foreign influence to be excluded; and the foundation of independence, moderation, and political union, to be laid in strictly defined and unchangeable regulations. In some particulars the institutions of Lycurgus resembled the ancient forms of government in the heroic ages.

§ 3. *The rise of Lacedæmon—Hegemony.*

89. The effect of the warlike spirit developed by such a constitution, and of strength thus concentrated, was first displayed in the subjugation of the remnant

of Achæan inhabitants, in the conquest of Messenia,⁸ and in successful wars with the Arcadians and Argives. At a later period the Spartans gradually extended their influence over almost the whole of the Peloponnesus, mingling in all the affairs of the neighbouring states, and especially strengthening their interest by the protection which they afforded to the aristocracy against tyranny on one side, and democracy on the other. 90. This leadership, or *Hegemony*, which was at first confined to the Peloponnesus, extended itself after the Persian war to the whole of Greece and the colonies, but found a powerful opponent in Athens. That state, it is true, was overthrown in the Peloponnesian war (B. C. 431—404); but Sparta soon lost the fruits of her victory through her own overbearing and selfish policy, and the support which she always gave to the most hateful oligarchy, wherever it was to be found. In consequence of this conduct, not only Athens, but for a short time even Thebes, again opposed her with success.

§ 4. *Decline of Lacedæmon.*

91. During the occurrence of these events the Spartan constitution had gradually been departing from its original character. Somewhat more than a hundred years after the time of Lycurgus, an important alteration was made by the establishment of the Ephōri, who were enabled to give a constitutional support to the people, and soon (partly through the degeneracy of the royal families) became more powerful than the kings themselves. The constitution of Lycurgus was in fact suited only to a small state and a people of circumscribed views, who were firmly attached to the existing and traditional state of things. It imposed unnatural fetters on the free will and development of in-

⁸ The first war was from B. C. 743 to 723; the second B. C. 685—668, according to Pausanias.

dividuals, and consequently was shaken to its foundation, as soon as the acquaintance with foreign countries, which was the natural result of wars, especially of maritime wars, taught the people to enlarge their political horizon. The consequence of this was the gradual dissolution of all the bands which united the citizen to the state, and the triumph of unlimited selfishness.

92. In proportion as the state itself, in opposition to the views of Lycurgus, sought an increase of dominion and subsequently of wealth, did the lust of power and yearning after riches take possession of the people. Even the Kings and Ephori, as well as the members of the Senate, were pre-eminently open to bribery. Thus the form of government, partly through the decrease in the number of burghers (occasioned principally by their wars), and partly through the distribution of property which gradually became more unequal, and the increasing mass of inhabitants, who, although free, had no voice in the state, was transformed into an oppressive oligarchy.

§ 5 *Fall of the Spartan Commonwealth.*

93. In this manner the Spartan Commonwealth gradually crumbled away, never regaining its full power, although it sometimes even yet played an important part. The attempt of Agis III. (B. C. 240) to restore the ancient order of things by a new division of land and the introduction of fresh burghers, completely miscarried. Cleomènes III. (B. C. 226) was for a time more successful: for he abolished the Ephorate, and endeavoured to re-establish equality among the citizens, and restore the spirit of the Lycurgian constitution; but his projects were eventually overthrown by the Macedonians. At length the Romans interfered in the struggle between the Spartans and Achæans, and made themselves masters of the Peloponnesus (B. C. 146), permitting however a certain measure of freedom to Sparta. Even the institutions of Lycurgus retained in some degree their form until the fifth century of the Christian era.

INHABITANTS OF LACEDÆMON.

§ 1. *Spartans.*

94. The inhabitants of Laconia were either free-men or slaves. The former consisted partly of Spartiates, partly of Pericæci, Mothāces, Nothi, Neodamōdes, and foreigners. The Spartiates (*Σπαρτιάται*), descended as they were from the original Dorian settlers, and themselves the dominant race, secured by the possession of landed property, exempted from the labour of agriculture, mechanical trades, and other burgher-like employments, with characters formed by the public education which the law prescribed, and by their continued intercourse with the other citizens, were the sole possessors of full political rights, and were all placed by the constitution on the same footing (*ὅμοιοι* in Xenoph. and Demosth.) 95. We find in Sparta, as in all the Doric states, three *φυλαί*—viz. *Ἰλλεῖς*, *Δυμῶνες* and *Πάμφυλοι*^{*}, which, according to the legend, derived their names from Heracleid princes, but nevertheless seem to indicate the three races, from the amalgamation of which the Doric people were formed. The tribe *Ἰλλεῖς*, into which the Heraclidæ were admitted, had the first rank. The three principal tribes were divided into thirty *ὠβαί*. Admission to the rights of Spartan citizenship was not common until the time of Agis III. and Cleomēnes III., who conferred the distinction on many of the Pericæci. On the other hand, from the time of the Peloponnesian war we find a steadily increasing class of free inhabitants without active political privileges.

^{*} In some states we find a fourth tribe, probably a remnant of the original inhabitants.

§ 2. *Free inhabitants, who were excluded by birth from the rights of citizenship.*

96. The Pericæci (περίοικοι) or Lacedæmonians¹ (inhabitants of the country as distinguished from the Spartiates or inhabitants of the city), the descendants of the ancient inhabitants, were for the most part of Achæan origin. They possessed, it is true, personal freedom and landed property, and seem ever to have been allowed a special administration for the management of their commercial affairs: but they paid tribute, rendered military service, were excluded from all positive political rights, such as a voice in public affairs, the magistracy, and intermarriage with citizens; and were consequently in a position extraneous to the state, like the *socii* of the Romans. After the conquest of Messenia we find mention of 100 cities inhabited by Pericæci. In addition to agriculture they employed themselves in handicraft and trade, and do not seem, generally speaking, to have been in indigent circumstances. 97. The Mothâces² (μόθᾱκες—to be distinguished from μόθωνες, slaves born and educated in the house, *vernæ*), appear to have been the sons of foreigners, here and there perhaps of Helots, who were educated with the children of the Spartiates. They were by no means considered as citizens, unless, like Lysander, they obtained that distinction by merit; which seems to have happened especially in the case of those who were also called Nothi (νόθοι); these were the sons of a Spartiate, either by a foreign or a female Helot, and might become citizens by adoption. 98. The Neodamôdes (νεοδαμώδεις) were emancipated slaves or Helots. In the Peloponnesian war, for in-

¹ This word in its more extensive significations is used as a common name for Pericæci and Spartiates.

² The Laconian word μόθᾱκες is rendered by some writers σύντροφοι or τρέφειμοι. Müller (as quoted by Liddell and Scott, s. v. μόθων) says that the μόθωνες and μόθᾱκες were *children of Helots*, brought up as foster brothers of the young Spartans, and eventually emancipated, but usually without acquiring civic rights. See also Smith's *Dict. of Gk. and Rom. Antiq.* article *Helotes*.

stance, Helots were employed as heavy-armed soldiers with the promise of freedom; and in later times, this mode of supplying the want of Hoplites was so often resorted to, that the armies of Sparta consisted in a great measure of such Neodamōdes. We find frequent mention also of foreigners at Sparta, especially in later times.

§ 3. *Helots.*

99. The Spartan bondsmen or Helots (ἑλλώτες³) were probably ancient inhabitants of the country, who had been punished for their obstinate resistance, or for subsequent insurrections, by being made either public slaves (δοῦλοι τοῦ κοινοῦ), or assigned to individuals with the portion of land allotted to each citizen. In the latter case, however, it was not lawful for their masters either to put them to death or to emancipate them; nor, generally, speaking, could they be sold without the land. 100. In the prosperous days of the commonwealth their number exceeded 200,000. In time of peace they cultivated the estates of their lords: to whom they were obliged to deliver yearly a certain quantity of produce (ἀποφορά⁴), the overplus being reserved for their own use. They were also employed in every sort of mechanical trade, as well as other services in town as well as country. In war they attended their masters as light-armed soldiers (ψιλοί) and yeomen, and in later times were especially employed in the service of the navy.

§ 4. *Condition of the Helots.*

101. The condition of the Helots was, generally speaking, a hard one; retaining, as they did, the con-

³ Some derive the word from ἑλος, a city which offered an obstinate resistance to the Dorians, or from ἑλος, a wet, low district; a more probable derivation, however, seems to be from the verb ἔλειν. It has been also supposed that the Helots were a race which had been subdued before the invasion of the Dorians, and were found by them in slavery. See Thirlwall's *Hist. of Greece*, vol. i. p. 129, 130.

⁴ Seventy medimni of barley for a man, twelve for a woman, with a proportionate quantity of oil and wine.

sciousness of being oppressed, they naturally incurred the suspicion of the Spartiates, especially when the number of free citizens began rapidly to decrease. One way of diminishing their numbers, and keeping a watchful eye over them, was the so-called secret war (*κρυπτεία*⁵). By the constitution of Lycurgus, according to some writers, the young Spartans were permitted at certain seasons to traverse the country by night and put to death any Helots, whom they happened to meet. 102. We may, or perhaps, must suppose, however, that the object of such a practice, at its original institution, was simply to inure the young Spartan to the hardships of war, and promote a vigilant superintendence of the Helots; and that the horrors of which we read, were the result of subsequent abuses. During the Peloponnesian war extraordinary and atrocious measures seem so have been adopted for the purpose of removing 2000 of these unfortunate persons. Yet the door of freedom was not entirely closed against them (98); and we find that in later times they were emancipated by thousands.

§ 5. *Partition of the Land among the free inhabitants.*

103. Originally there seems to have been no essential distinction, as regarded privileges or the possession of landed property, between the citizens of Lacedæmon. A fresh, or at least a different, division of property took place under Lycurgus, and another after the conquest of Messenia, when the lots (*κλῆροι*) assigned to the Perioeci were fixed at 30,000, and those of the Spartiates or citizens at 9000. These lots, which were nearly of equal value, could neither be divided nor alienated, but must descend to one heir, who was charged with the support of the other members of his family. 104. But this very arrangement by degrees produced great inequality, since some individuals were reduced to poverty by the claims of a large family,

⁵ See Thirlwall's *Hist. of Greece*, vol. i. p. 130.

whilst others became possessors of several lots by inheritance. The means devised to remove this inequality were the granting permission to several brothers to marry one wife; or adoption, and, to a certain extent, the law which regulated the marriage of heiresses (*ἐπιγαμνίδες*); or the sending out of colonies: but such measures were gradually discovered to be inadequate to the end proposed; especially when the great earthquake in B. C. 466, the insurrection of the Helots which immediately followed, and subsequently the Peloponnesian war, had cost many Spartiates their lives. 105. The inequality was yet further increased by a law of the Ephor Epitadeus (date unknown, but later than Lysander), which permitted, not indeed the sale, but the disposition or bequeathing by will of the lots. We find indeed the number of citizens gradually diminishing in so extraordinary a manner, and the inequality of property so increasing, that in the time of Agis III. there were but 700 citizens, and of these only 100 were landowners.

§ 6. *Consequences of the gradual decrease in the number of citizens, and the inequality of property.*

106. This inequality of property produced by degrees great inequality of political rights, and at last gave birth to an oligarchy; since by the constitution of Lycurgus the complete exercise of such rights was closely connected with Spartan education, and with the capability of sharing the Spartan mode of life. We may especially notice here the difference mentioned by Xenophon between the *ὄμοιοι* and the *ἰππομειόνες*; the former being citizens who enjoyed full political rights, the latter those, it would appear, who, as persons of Spartan descent, were not excluded by their birth from the same privileges, but for want of property could take no part in Spartan education, or were compelled to earn their livelihood by some handicraft or other trade, or were too poor to bear their share of expense at the public table.

THE GOVERNMENT.

§ 1. *Partition of the Government*

107. At an early period disputes arose between the people and the kingly authority, which had been originally divided between the two Heracleid families. These disputes led to the constitution introduced by Lycurgus, which was founded on the principle of developing existing relations, without the publication of a complete code of written laws; for the few legal maxims (*ἐπιτάγαι*) which we attribute to Lycurgus, seem to have reference simply to certain rights which were the subject of dispute between the different powers of the state.

108. By them the authority was divided between the Senate, the Assembly of the people, and the magistrates, of whom the Kings alone had any political importance at first, although their power was afterwards obscured by a magistracy of more recent institution—the Ephorate. The Kings, the Ephori, and the Senate together, seem to have composed the government or supreme administration, which authors comprehend under the term *τὰ τέλη*. 109. In one point of view the constitution of Sparta may be called democratic; but since the *Dēmos*, properly so called (*δᾶμος*), or Assembly of citizens who possessed complete political rights, was only a small and steadily diminishing section, as compared with the free inhabitants who had no voice in public affairs (the Periceci, Mothāces, Neodamōdes, 98, Foreigners, and Hypomeiōnes, 106), it may, when thus considered, be called aristocratic, and even, in its later stages, oligarchical.*

* The Spartan government was, in substance, a close, unscrupulous, and well-obeyed oligarchy—including within it, as subordinate, those portions which had once been dominant, the Kings and the Senate, and softening the odium, without abating the mischief, of the system, by its annual change of the ruling ephors.—Grote's *Hist. of Greece*, vol. ii. p. 476.

§ 2. *The Senate.*

110. The Senate (*γερονσία*, Lacon. *γερωσία*) consisted, besides the two Kings, of twenty-eight members, who were chosen for life by popular acclamation (*βοή*), and must be above sixty years of age, and of irreproachable character. They were irresponsible. As the influence of the Ephōri increased, those magistrates gradually usurped the right of sharing their deliberations and presiding at their meetings. 111. The business of the Senate was to transact all affairs of state, either publicly in the popular assembly, or privately in conjunction with the Ephori, and also to sit in judgment on capital crimes committed by the citizens, and the offences of their Kings. The advanced age of the senators was believed to be a security for the conservative tendency of the constitution.

§ 3. *The Popular Assembly.*

112. The Popular Assembly (called in the Doric dialect, *ἀλία*) was held (according to a *Rhetra*, preserved by Plutarch, Lucurg. c. 6) at stated periods and on a particular spot. It possessed the sovereign right of electing the great officers of the commonwealth, the Senate, and doubtless the Ephōri; and of entertaining the most important state questions, which were brought before it by the government, strictly so called (*τὰ τέλη*), or by the Senate in concert with the Kings and Ephori, whose general meetings were held publicly in the Assembly. 113. But the people's share in these discussions, as in the heroic ages, was of a somewhat passive character. They did not possess the power of originating any measure, nor even of proposing a modification of the plans laid before them: so limited indeed was their authority, that when in ancient times they were thought to have exceeded their powers, a law was passed (in the reign of Theopompus and Polydorus, rather more than a hundred years after the time of Lycurgus), authorizing the Senate and Kings (*πρεσ*

βουλευίης καὶ ἀρχαγείται) to pronounce such a decision null and void. The government seems also to have possessed a discretionary power of communicating or withholding information. 114. The object in fact of the people's attendance appears to have been, partly that they might hear the decisions of the government, and partly that in the event of any difference of opinion (between the Senate and Ephori for instance), the question might be submitted to them and be settled by their authority. The Assembly possessed no judicial powers. The regular mode of expressing their opinion was not by voting, but by acclamation. The division suggested by the Ephor Sthenelaidas (Thucyd. i. 87), because he could not distinguish which side had the majority of voices, must be considered an exception to the general rule. Every Spartiate was entitled to be present at the Assembly, provided he had completed his thirtieth year, and was in possession of full political privileges.

§ 4. *Magistrates—The Kings.*

115. Notwithstanding their name, the Lacedæmonian Kings can hardly be considered a distinct power in the state; for their political importance, especially in time of peace, was of a very limited character. Both the Kings (*βασιλεῖς*, also *ἀρχαγείται* in the old *Rhetrai*) were of the two Heracleid families—the Agidæ and Eurypontidæ. The succession was hereditary, preference being given to a son born during the reign of his father over those who were born before he ascended the throne: if there were no sons, the next of kin succeeded, but in no case a member of the other royal house. If the King were a minor, guardians (*πρόδοκοι*) were chosen from his nearest relations. 116. The Kings were members of the Senate, where they presided, but had no votes like the other members: they acted as judges in certain family affairs, as adoption, disputed succession, and the marriage of heiresses; overlooked the arrangement of the public streets, su-

perintended the public sacrifices, particularly the worship of Zeus, and maintained the connection of the state with the Delphic oracle, the national sanctuary of the Dorians. 117. In war, and beyond the limits of the country, they took command of the army, with very extended powers: at first both acted as leaders; but subsequently only one: and we even find, in later times, that the command was intrusted to other individuals. When the war was ended, they might be called to account for the manner in which they had discharged their duty. Every month they were required to swear, that they would govern according to the laws; the Ephori in the name of the people also swearing, that they would maintain the sovereign power inviolate. Their authority in time of war was gradually circumscribed, especially by the growing power of the Ephori. 118. For their maintenance they had property in the country of the Pericæci, a part of all the sacrifices, a house in the city, and provisions at the public expense. Among their prerogatives we may reckon precedence at all public assemblies and meals, with other marks of distinction paid to them in life and after death.

§ 5. *The Ephōri.*

119. The Ephōri (ἐφοροι) in the time of Lycurgus seem to have been merely judicial officers, whose business it was to settle law-suits between the citizens; but at a later period (especially from the time of Theopompus, about the year B. C. 757), the office gradually raised itself to a position of the highest authority. Of its progressive development we know nothing. Its political importance and popularity seem to have resulted from its character, as representing the majesty of the people in opposition to the Kings and Senate; the Ephōri being chosen annually, and all Spartiates, even of the humbler families, being eligible. 120. Their authority gradually increased to such an extent, that all other magistrates, and even the Kings themselves, were prosecuted, suspended, or imprisoned by

them at their discretion. To them was intrusted the superintendence of public education and morals. They claimed precedence in the Senate and popular Assemblies, and great influence in the most important public affairs; gave audience to foreign ambassadors, and themselves sent out embassies and messengers (*συντάλη*), settled campaigns, and appointed the leaders of the army. 121. Every month they exchanged an oath with the Kings (117); and in after times not only chose two of their number to control them in time of war, but even possessed the power every ninth year of removing them from office by means of a *spectatio de cælo*. They themselves were responsible to no one but their successors.* Their constant endeavours to weaken the monarchy were favoured by its own demoralization, and by the eagerness with which each of the royal houses sought their assistance, for the purpose of injuring its rival.

§ 6. Other public officers.

122. We read of other officers, each of whom seems to have exercised a certain jurisdiction in his own department: the *παιδονόμος*, for instance, superintended the discipline of the boys and young men, and was assisted by subordinates termed *βίδεοι* (*βιδνοι*), of whom there were probably five. There were also the *ἀγρόσυννοι*, who watched over the conduct of their women, and the *ἐμπέλωροι*, or inspectors of the market. Other officials were the *πύθιοι* (in Spartan *ποιίθιοι*), four men appointed by the Kings to visit Delphi; the *πρόξενοι*, whose business it was to provide accommodation for foreign ambassadors and the guests of the state; and the *ἀρμοσται*, or commissioners sent to conquered countries or cities. Some of the officers employed in time of war will be noticed hereafter.

* See Grote's *Hist. of Greece*, vol. ii. p. 472, 473.

ADMINISTRATION OF THE GOVERNMENT.

§ 1. *Its object.*

123. It would be more difficult at Sparta, than in other countries, to draw an exact line between the efforts made by the state to promote its objects, and the individual exertions of the people; since every thing like domestic life was almost entirely absorbed in the commonwealth. The very existence of the individual was merged in the idea of the state, and all his interests concentrated in this one point. Nor was this "state" an idea which was permitted to develop itself freely in conjunction with public opinion, but rather a narrow prison in which the people were chained by education and the unchangeableness of their customs. 124. So strong indeed was the building, that for centuries it resisted the development of the popular mind: but the direction which this development at last took, became for that very reason the more pernicious, when the chains of ancient belief and custom had been broken link by link, and individuals, bursting loose from the state, learned to seek within themselves alone the point in which all their desires were thenceforth to centre.

A. Administration of Justice.

§ 2. *Judicial Authority.*

125. The administration of the Spartan laws was founded on custom and precedent. The judicial authority was in the hands of the Senate or the magistracy, to the entire exclusion of the popular Assembly. Capital offences were judged by the Senate; private disputes, especially such as regarded property, were settled by the Ephori. 126. To the Kings belonged the right of deciding questions concerning succession, the marriage of heiresses, adoption, and the distribution

amongst the citizens of the expenses incurred in the formation and improvement of the public streets. Offences committed by the Kings were judged by the Senate in conjunction with the Ephori. There seem also to have been several other magistrates, each invested with judicial authority in his own department.

§ 3. *Punishments.*

127. The punishments were fines (considerable only in the case of kings, generals, or harmostæ, 122), curtailment of civil rights (*ἀτιμία*), and death. *Ἀτιμία* was inflicted on all who violated the public discipline; and in its fullest extent was the punishment of cowards (*οἱ τρέσαντες*), whose offence was visited with complete degradation. Their capital punishments were strangulation, and hurling the offender into a chasm (*καϊάδας*).

B. Religion.

§ 4. *God of the Spartans.*

128. Among the Hellenic gods the most highly honoured at Sparta were Apollo, the national divinity of the Dorians, and his sister Artēmis (*Ἄρταμις*). Zeus, Hēra, Athēne (*Ἀθάνα*), Poseidōn, (*Ποσειδᾶν* and *Ποσειδᾶν*), Demēter (*Δαμιάτηρ*), Aphrodīte, Dionȳsus, Ares, the Muses (*μῶσαι, μῶαι*) and Erōs, were also worshipped. The Kings were priests of the Lacedæmonian and Heavenly Zeus. As Dorians, the Spartans especially honoured the Delphic oracle of Apollo, which they consulted on all important occasions. Their heroes were Hēracles, the founder of the Doric race, Hyacinthus, Castor and Pollux, Menelaus and Lycurgus.

§ 5. *National Festivals.*

129. The most remarkable of these were: 1. *Ἰνθια*, a feast held at Amȳclæ in honour of the Carnei-

an Apollo and his favourite Hyacinthus, which lasted three days. 2. *Γυμροπαιδίαι* (instituted in B. C. 665), a festival of Apollo and Dionysus, at which young men danced naked and practised gymnastic exercises. 3. *Κάρνεια* (B. C. 676), a nine days' feast in honour of Apollo Carneius, during which the people lived in tents, in imitation of an encampment. Musical contests also formed a part of the solemnities at this festival.

C. Military Affairs.

§ 6. *The Army—Weapons of the Soldiers.*

130. The Spartan army consisted of Spartiates, Lacedæmonians, and Helots. Its nucleus was originally formed by the Spartiates. Its strength depended on circumstances, as, for example, whether all the males capable of bearing arms (those from the age of twenty to sixty, *ἐμφορικοί*) were called out, or only a part (viz. those from thirty-five to forty). 131. The equipment of the Spartan Hoplites consisted of a brazen coat of mail, a very large shield (*ἀσπίς χαλκῇ*), a long lance (*δόρυ*), a short sword (*ξυγήλη*), a helmet, and a purple cloak (*φοινίκις στολή*). As early as the Peloponnesian war it was found necessary to employ Helots as heavy-armed soldiers, with a promise of emancipation. At a later period the citizens served only at home and in neighbouring districts; armies sent on foreign service being composed in a great measure of Periceci and Neodamōdes. In the reign of Agesilaus (B. C. 399—355) we find mercenary troops employed

§ 7. *Arrangement and divisions of the Army.*

132. The efficiency of the Spartan army consisted principally in the judicious gradation of the commanders and commanded, and in the scientific system of military tactics, the effect of which was strengthened

in the better days of the commonwealth by the strict discipline and subordination which at that time prevailed. The strength of the army lay chiefly in the Hoplites. The whole force was divided into six *μόραι*, each *μόρα* into four *λόχοι*, each *λόχος* into two *πεντεκοστές*, and each *πεντεκοστής* into two *ἐνωμοτίαι*. The *Enomōtia* was from twenty-five to thirty-two strong, the numbers varying probably according to the size of the army. 133. What proportion the military divisions bore to the civil does not distinctly appear. The cavalry, an inconsiderable part of the army, was divided into *οὔλαμοί*. We read of two distinguished corps, the *Σκιριται* (in the Peloponnesian war), a picked body of 600 men⁷, who were stationed on the left wing, and the *ἱππεῖς*, or royal body-guard, who were posted in the centre, and generally seem to have served on foot. The corps consisted of 300 chosen *Ephēbi*, the five eldest of whom (*ἀγαθοεργοί*) were drafted off every year that they might be employed in embassies and other public services. The Helots formed the light-armed companies. Each Spartan had at least one, and often more of these men (in the Persian war seven), who acted as his servant and covered his flank.

§ 8. Officers.

134. The army was commanded by the Kings, at first by both conjointly, afterwards by one. Their council consisted of the *πολέμαρχοι*, the captains of *moræ* (132), and in later times of the two *Ephori*, by whom their authority was greatly circumscribed. Agis, we are told, had a college of ten *σύμβουλοι*. At a subsequent period we find the army commanded by other Spartans (such as Brasidas, Gylippus, Lysander, &c.) The remaining officers were the *λοχᾶγοί*, *πεντηκοστῆρες*, *ἐνωμοτάρχαι*, and the *ἵππαρμοσταί* or commanders of the cavalry divisions, with the *ἵππαρχεῖται* or captains of one hundred *ἱππεῖς*.

⁷ That the Scirites were cavalry, may be inferred, though not with certainty, from Xenoph. Cyr. 4. 2. 1.

§ 9. *War. Battles.*

135. The campaign commenced with a sacrifice at home to Zeus Hagētor, and on the frontier (*διαβατήρια*) to Zeus and Athēne. Then a priest of Ares (*πνεφόρος*) lighted the sacred fire, which was kept burning during the campaign. The religious feelings of the Spartans were eminently displayed in time of war: if the Diabateria were unfavourable, they remained at home; nor would they engage in any expedition during their public festivals, particularly during the Carneia (129, 3). In camp, the usual gymnastic and warlike exercises were continued. The Helots were excluded from the camp.

136. When the army formed in order of battle, the Kings occupied the centre, surrounded by a numerous staff, consisting of the Polemarchs (134), the two Ephori, diviners, physicians, flute-players, conquerors in the public games, &c. Before the battle a sacrifice was offered to the Muses and Erōs. Then military music (*τὸ ἐμβατήριον*, the *Καστόριον*, or March of Castor, for instance), was performed in anapæstic time, accompanied by the war-song, which was often one of the martial strains of Tyrtæus (B. C. 680). The army then advanced in compact masses, keeping step to the music. Sometimes scientific manœuvres and evolutions were employed (*ἐξελιγμοί, παραγωγαί*).

137. It was not customary to pursue a beaten enemy, or to plunder the dead. The science of the Spartans was displayed exclusively in the open field; of sieges, and the attack and defence of fortified places, they knew nothing. Military rewards and punishments consisted for the most part of honour and disgrace. Those who had most distinguished themselves by their bravery were rewarded with precedence in the public assemblies, garlands, and similar marks of respect. The slain received especial honours. Cowards (*οἱ τρέσαντες*) were punished with Atimia (127).

§ 10. *Naval affairs.*

138. We gather from Herodotus that the naval force of the Spartans during the Persian war was very

insignificant, and that it was simply to its high reputation that the state was indebted for the *Hegemony* by sea, which it was soon compelled to resign. It was not until the Peloponnesian war, that Sparta figured as a naval power. Helots were often employed to man the fleet. It was usual to give their naval engagements as far as possible the character of battles on shore, by boarding the enemy's ships, and fighting on their decks. The commanders were called *ναύαρχοι* and *ἐπιστολαῖ*.

D. Political Economy.

§ 11. *Income and Expenditure—Money.*

139. The expenditure of the Spartan government, which ~~was inconsiderable~~, was defrayed out of the tribute paid by the Periceci, the ~~estates~~ belonging to the commonwealth, the extraordinary taxes, which were sometimes imposed, when circumstances required a larger revenue, and the proceeds of their *Hegemony* and wars. 140. Lycurgus prohibited the general use of gold and silver as a circulating medium, permitting only iron money, which had no value out of Laconia (the principal piece of money; *πένταρον*). This regulation applied, however, only to *individuals*: the *state*, as may easily be supposed, could not altogether dispense with a currency. Even the Periceci, who were engaged in trade, were no doubt permitted to avail themselves of it: and at length we find the privilege of possessing the precious metals extended to the Kings and Commanders-in-chief; for Pausanias after the battle of Platæa retained two talents as his share of the booty, and pecuniary fines to a considerable amount were often imposed on the Kings at a later period of Grecian history.

E. Other Public Institutions.

§ 12. *General remarks.*

141. The Spartan government, accustomed as it was to consider the individual citizen as a cipher, except in so far as his welfare or ruin affected the general interest, naturally interfered in matters which, in other states, are generally left to each man's discretion. Thus, for example, marriage and the education of children from infancy were under the control of the government, which exacted from every man unswerving and laborious attention to its interests, and imposed all sorts of fetters and restraints, for the purpose of sustaining its own independence, and the permanence of the existing constitution.

§ 13. *Marriage.*

142. The object of marriage was to obtain a supply of sturdy citizens and warriors. With this view, the state imposed a penalty on celibacy (*δίκη ἀγαμίου*), and even on those who married too late in life (*δίκη ὀψιγαμίου*). The father of three children enjoyed certain privileges, and a divorce was easily obtained where there were no children. A penalty was also imposed on unsuitable marriages (*δίκη καχογαμίου*), as for instance where the wife was too young. 143. The marriage solemnity consisted in a sort of rape or abduction of the bride. In the olden times no dowry was given; but if the bride were without brothers, and consequently had inherited the estate (*Kláros*) of her father,* the land became the property of her husband. It was the duty of the Kings to decide questions affecting the marriage of heiresses (*ἐπιγαμαίδες*). Among the Spartans the married state was held in honour, and women enjoyed a reasonable share of liberty.

* Before the law of *Epitadeus* (105) was passed, a female could not possess property in land under any other circumstances than those here mentioned.

§ 14. *Public Education of Boys.*

144. The great aim of the government was to form by means of education a race of citizens, whose bodily strength and powers of endurance, united to moral vigour and public spirit, would be a security for their performing efficiently the duties which it required. From their infancy children, especially boys, were looked upon as the property of the state. As soon as they were born, they were examined by the elders of their fathers' *Phyle*, for the purpose of ascertaining that they had no bodily infirmity or deformity, which might render it necessary to expose them. They were then left to their parents until their seventh year, when the state undertook their education, in order to accustom them to strict military discipline and qualify them for the army. 145. This public education and discipline, (which was the condition on which they were afterwards admitted to the full rights of citizens) was continued step by step through different ages, the younger being always subordinate to their immediate seniors. They were divided into *ἀγέλαι* (in Spartan *βοῦναι*, and the overseer *βουᾶγός*), and *ἱλαι*, which were superintended by a *παιδονόμος* and five (?) *βίδεοι*. From their eighteenth year the young men were termed *μελλείρηνες*, from their twentieth *εἴρηνες* (*ἰρένες*?), afterwards *σφαιρεῖς*, and from their thirtieth *ἄνδρες*. Every citizen of full age possessed the right of admonishing and reproving those who were still under education.

§ 15. *Education with reference to the body.*

146. Their mode of life was exceedingly simple. Their diet was spare, but it was considered by no means disgraceful¹ to improve it by means of theft, which was thought good practice for their cunning and

¹ The laxity of their notions respecting private property was the natural result of that state policy, which accustomed the citizens to think only of the public interest. Hence the permission granted by the law, to appropriate in certain cases the moveable property of their neighbours, and the thieving practised by the Spartan boys.

courage. If however they were detected in attempting to steal, they were subjected to severe corporal punishment for their awkwardness.² 147. Their dress was simple; from the age of twelve they received yearly a short cloak (τρίβων), but were not allowed any shoes or covering for the head. Their beds were bundles of hay or reeds. Their exercises were gymnastics (leaping, wrestling, and hurling the discus and javelin), warlike dances (for instance the *πυρόδίκη* and *βίβασις*), and hunting. One mode of hardening them was a yearly flogging (*διαμασίγωσις*) in the temple of Artēmis Orthia.

§ 16. *Education with reference to the mind.*

148. The Spartan education was by no means favourable to a free and liberal expansion of the understanding. Scenic representations, and the arts of sophists or rhetoricians were always viewed by them with distrust; thus whilst sophistry, rhetoric, and philosophy were considered important parts of education in other countries of Greece, these sciences were either entirely excluded or very sparingly cultivated at Sparta. Their intellectual training was in consequence restricted to what was absolutely necessary, music and singing; chiefly odes in honour of the gods, of their native land, or of renowned men; or war-songs (*μέλη ἔμβατήρια ἐνόπλια*), which they were taught to accompany on some instrument. 149. These songs were composed in the simple and nervous Doric harmony, the distinguishing characteristics of which were force and gravity; for even music, as the expression of popular feeling, partook of the conservative character which distinguished all the institutions of a government jealous of the slightest innovation. In order to accustom the boys to listen to the grave conversation of their elders,

² It seems a gross, though not an uncommon mistake, to treat this practice as a violation of property and an encouragement to theft; it was a preparation, not more remarkable than many others, for the hardships and shifts of a military life. Thirlwall's *Hist. of Greece*, vol. i. p. 136.

they were sometimes permitted to be present at the public meals. In every instance the greatest respect and obedience to elders was strictly enforced. Sometimes a friendly connexion of a very intimate kind was formed between persons of different ages (*εἰσπνήλας* and *αἰῶνας*).

§ 17. *Education of Girls.*

150. The education of their girls was also public, and closely resembled that of the boys. Generally speaking, the Spartan women enjoyed greater freedom than the Ionians, and were more deeply interested in the welfare of their husbands and of the state.

§ 18. *Men—their mode of life.*

151. From the thirtieth year the youths belonged to the class of men, and were thenceforth free from the oversight of the *Pædonōmi*, and the necessity of living continually together, from which until that age not even marriage could exempt them. Still the feeling of dependence on the state was in many particulars retained; in their public meals, for example (*συσσίτια, φιδίτια*³), at which all were obliged to be present, unless they were offering sacrifice, or engaged in hunting (*ἀφιδίτος ἡμέρα*).

152. At these meals the principal dish was the black broth (*βαφά, αἱματία*) with barley-bread (*ἄλφιτα, μᾶζαι*). Sometimes, however, an addition (*ἐπαῖκλα*) was made to the entertainment (*αἶκλον*), by individuals, who sent in a portion of the meats offered in sacrifice, or the produce of their chase; and in after times, when discipline had relaxed, many persons were accustomed to bring expensive dishes to the common table, or to attend irregularly at the *Syssitia*. 153. Each was bound to contribute his monthly proportion (viz. 1 medimnus of barley, 8 congii (*χοῦς=congius*) of wine, 5 minæ of cheese, 2½ minæ of figs, and a small payment in money); neglect of this regulation subjected the offender

³ In some writers *φιλίτια*.

to the loss of civic privileges. New members were admitted by vote. Generally fifteen sat together at each table (σύσκηνοι). These messmates were also comrades in the field. Even children were admitted to these meals, that they might listen to the conversation of men; and after the entertainment questions were proposed to them, for the purpose of sharpening their wit, and accustoming them to answer briefly and distinctly. Hence the expression, a *laconic* answer.

§ 19. *Other modes of sustaining the ancient discipline.*

154. It was required by the law that not only the diet, but the dwellings also, and domestic economy, even of their Kings, should be exceedingly simple, and that all, as far as it was possible, should fare alike. Their dress, in addition to the *Chiton* (the only garment of boys), consisted of the coarse short Laconic *Himation* (τρίβων, τριβώνιον), a broad-brimmed hat (πίλος), and a pair of sandals of simple construction (άπλαι). In his hand the Spartan generally carried a stick (σκητάλη). The dress of the women was also much lighter and more simple than that of the Ionic females. 155. Intercourse with foreigners was rendered very difficult, not only by the prohibition of current coin, but also by the law, which forbade the Spartans to travel abroad without the express sanction of the government, and the caution exercised in granting permission to strangers to visit or reside at Sparta (ξενηλασία of the Spartans).

§ 20. *Relaxation of discipline.*

156. By such institutions, which promoted simplicity of manners and equality of property, whilst they cherished public spirit, and prevented in a great measure any intercourse with foreigners, the constitution was for a while sustained in its old Laconic character. When however the Spartans, especially in the Persian war, had become acquainted with foreign lands and

manners, and experienced the charms of pleasures hitherto unknown, the severity of their discipline gradually relaxed; and the whole system of government, no longer adapted to the enlarged views of the people, and at the same time incapable from its unpliant character of being either modified or developed, lost all power of regulating or guiding individual exertions. 157. This degeneracy of manners was especially remarkable at the period of the Peloponnesian war. The number of citizens continued to decrease, and equality of property became little more than a name (103-106). Selfishness and avarice extended their grasp; the most shameless corruption prevailed in all public offices, low as well as high; thus fulfilling to a considerable extent the well-known oracular proverb, *ἡ φιλοχρηματία Σπάρταν ὀλεῖ, ἄλλο δὲ οὐδέν.*

APPENDIX.*

CRETE.

§ 1. *Historical sketch of the Country.*

158. Although the peculiarities of the Doric character were most prominently displayed at Sparta, we find, nevertheless, many of its more striking features in the other Doric states, such as Argos, Epidaurus, Corinth, Sicyon, and in the Doric colonies. Crete at a very early period was colonized by Dorians, but whether this immigration occurred in the remotest ages, or not until the times of the Heraclidæ, has never been satisfactorily ascertained. 159. Tradition derives the ancient laws and constitution of the island from the heroes Minos and Rhadamanthus, whose Doric origin is very uncertain. Crete was divided into several

* Since the Cretan constitution resembles that of Sparta in so many particulars, it has been thought desirable to give an outline of its most important features in the form of an Appendix. Compare Thirlwall's *Hist. of Greece*, vol. i. pp. 122-124.

states, independent of one another, but united by confederacies (*ἐνατόμπολις*, Il. ii. 649). At the siege of Troy, Idomeneus and Meriones, according to Homer, were the leaders of the Cretans. In *Odyssey* xix. 177, the Dorians in Crete are termed *τριχαιῖνες*, an epithet which would seem to indicate that the poet was aware of its occupation by the *three* Doric tribes.

§ 2. *The Constitution.*

160. In Crete, as in Sparta, none but the Dorians, generally speaking, enjoyed the full rights of citizenship. The other inhabitants were a conquered people, who occupied a position similar to that of the Peræci (*ὑπήκοοι*), or of the Helots. Those who were employed on the public estates were denominated *μνωῖται* or *μνωῖται*, the slaves of private persons *κλαῶνται* or *ἀφαρμυῶνται*. Their condition, however, would seem to be more tolerable than that of the Spartan Helot. We read also of *χρυσώητοι*, or purchased slaves. 161. The government was vested in a Senate (*γερονία*, *γερονσία*), consisting of thirty members, chosen from the *Cosmi* who retired from office, the public Assembly (*ἀγορά*), which, like that of the Spartans, merely decided questions proposed by the Senate and *Cosmi*, and the Magistrates, of whom the highest, termed *κόσμοι* or *κόσμοι*, were ten in number. The *Cosmi* commanded the army in time of war, and presided in the Senate and Assembly of the people.

§ 3. *Discipline and mode of life.*

162. The discipline and mode of life closely resembled that of the Spartans. The education was strict, and began at seven years old. It consisted chiefly of bodily exercises, hunting, and music, which they endeavoured to preserve unchanged, like the music of Sparta. We find also the same friendly connexion between the old and young (*φιλήτωρ* and *κλεινός*). The men assembled at public tables (*ἄνδρια*) which were

maintained partly at their own cost, and partly at the expense of the state. They eschewed agriculture, mechanical labour, and trade. In after times many of them served as mercenary soldiers, and some practised piracy. Gradually the constitution assumed a more democratic character, and the struggle of opposing parties continued until the subjugation of the island by the Romans.

ATHENS (αἱ Ἀθηναί).

CHOROGRAPHY.

§ 1. *The Country.*

163. Attica (Ἀττική), a mountainous peninsula lying between Bœotia (from which it is separated by the chains of Cithæron and Parnes), the Saronic gulf, and the Ægean sea, is divided by nature into three parts: 1. The eastern or highland country (ἡ διακρία, ὁρεινὴ Ἀττική), extending from Parnes to the promontory of Cynosūra. 2. The western district, less mountainous (ἡ πεδιάς, τὸ πεδίον), with the sea coast (ἁκτὴ) reaching to the promontory called Zoster. 3. The southern point of land (ἡ παραλία) terminated by the promontory of Sunium. 164. The soil of Attica was by no means distinguished for fertility, but was diligently cultivated, and produced olives, figs, and wine. The honey of Hymettus was also celebrated. The mountainous districts were favourable to the breeding of cattle. Its mineral productions were marble (chiefly from Pentelicus), silver and lead (from Laurium, Λαύριον or Λαύρειον). The climate was healthy and agreeable. 165. The extended line of coast and excellent harbours invited the establishment of fisheries, navigation, and trade. To Attica belonged Salamis and several smaller islands. The land was divided for political purposes into ten Phylæ (φυλαί), and 174 Dēmi (δῆμοι); but it is almost impossible to trace the exact position and boundaries

of many of the latter. Northwest from Attica, adjoining the isthmus, lay the district of Megāris, which in ancient time belonged to Attica.

§ 2. *The Capital.*

166. Athens (αἱ Ἀθῆναι), the capital of Attica, lies at the foot of a steep rock near the river Ilissus. Tradition points out Cecrops as the founder of the Acropolis (Cecropia) and Theseus of the city. In the Persian war it was sacked, but rebuilt during the administration of Themistocles, and adorned by Cimon, Pericles, and at a later period by Demetrius Phalereus.

167. It consisted of (I.) *The city* (τὸ ἄστυ), *divided into the lower* (ἡ κάτω πόλις) *and upper* (ἡ ἄνω πόλις, ἀκρόπολις, *Κεκροπία*). The most remarkable buildings of the lower city were the Odæum, built by Pericles, and originally intended for musical festivals, but afterwards used for public assemblies and the administration of justice, the Bouletērion, Prytanæum, Tholos or Skias, the Theatre, several Temples, such as the Thesæum, and Olympiæum: porticos (στοαί), as the στοὰ ποικίλη, adorned with pictures by the best masters, a multitude of *Leschæ* or places for conversation and amusement; the Areopāgus, or hill of (Mars) Ἄρη (*Ἀρειος πάγος*), the Pnyx, and the Museum. Among the open spaces was the Ceramicus. 168. The upper city was protected by a wall, built by Cimon, and approached by the famous Propylæa (προπύλαια), a colonnade of Pentelic marble, erected during the administration of Pericles. Its buildings were the Parthēnon (the celebrated temple of Athēne, with a statue of the goddess by Phidias), the Erechthæum with the Temple of Athene Polias, and the Pandrosæum, which was burnt by the Persians, and restored during the Peloponnesian war. Above all the buildings of the Acropolis towered the colossal bronze statue of Athēne Promāchus, the work of Phidias. 169. The quarters of the city were: Limnæ, on the south side of the Acropolis, Colōnus on the north, Ceramicus on the west, and Melite on the east.

The city was surrounded by a wall ^{from around} (περίβολος) built by Themistocles. Its extent is said to have exceeded forty-three stadia. Among the gates, which were numerous, may be mentioned the Dipylon or Thriasian, and the Piræan gate. 170. (II.) *The harbour, with its appurtenances.* Munychia is a peninsula, the north side of which forms the harbour of Piræus, and the south those of Munychia, and Phalærum. Piræus and Munychia compose the port, a town adorned with several handsome buildings, such as the Arsenal (ὀπλοθήκη, σκευοθήκη) built by Philon, the Docks, and a large Theatre. All these harbours were joined to Athens by walls; one of thirty-five stadia, which led to Phalærum, and two of forty stadia (τὰ σκέλη), connecting the city with Piræus. The Piræus was fortified by Themistocles; the connecting walls completed under the administration of Cimon (B. C. 457—456) and Pericles. The Long Walls and the wall of Piræus were pulled down by the Thirty Tyrants, but restored by Conon (B. C. 393). 171. In the neighbourhood of Athens were the three celebrated Gymnasia, the Lyceum, not far from the temple of Apollo Lyceus on the river Ilissus; Cynosargos, near the Lyceum; and the Academia, which was distant about six stadia from the city, and was greatly embellished by Cimon.

HISTORICAL OUTLINE.

§ 1. *Ancient history of the country. The Monarchy and Aristocracy.*

172. The most ancient inhabitants of Attica were of Pelasgic origin (Κραναοί, Herod. viii. 44). As representatives of the remotest antiquity we find mention of Cecrops and Erechtheus. Cecrops is called by the ancients an *Autochthon*, but according to a more recent legend he was the leader of a colony from Sais in Egypt. Erechtheus is closely connected by tradition with the worship of Athene. (II. ii. 547). According

to another legend Xuthus, the son of Hellen, settled in Attica, during the reign of Erectheus, and introduced into that country the worship of Apollo *πατρώος*. From his son Ion the people were called *Iōnes*. 173. This tradition would either indicate an Ionic immigration,⁵ or, if the Ionians were Pelasgians, the elevation of one tribe above the rest. The legend ascribes to this Ion the division of the people into four *φυλαί*, according to their employments or their places of residence; viz. *Γελέοντες*, or perhaps *Τελέοντες*, the agriculturists (or according to some authorities, the priests); *Ὀπλητες*, the warriors or ruling aristocracy; *Ἀργάδεις*, artisans; and *Αἰγικορεῖς*, herdsmen.⁶

§ 2. *The subject continued.*

174. The country was divided into several states until the time of Theseus (fifty years, as is generally supposed, before the fall of Troy), who seems to have amalgamated them, and made Athens the capital. To him is also attributed a new division of the people into three classes (*ἔθνη*): *Εὐπατρίδαι*, the patricians: *Γεωμόροι*, small landed proprietors; and *Δημιουργοί*, artisans. The executive power was monarchical, the constitution aristocratical. 175. A few years after the expedition of the Heraclidæ, the Ionians, a people connected by affinity with the Athenians (*Ἀθηναῖοι*), being expelled from Aigiālos by the Achæans, took refuge in Attica. Soon afterwards the Dorians became masters of Megaris, and the Athenian king Codrus having fallen in an encounter with them, the succession was disputed by his sons; in consequence of which several of the Ionians having chosen his son Neleus for their leader, quitted their native land to seek new settle-

⁵ But not a conquest of the country; for the inhabitants of Attica were universally believed to be *Autochthōnes*.

⁶ These names would appear to point to some ancient division of the people into *castes*. The hereditary priesthoods of certain sacerdotal families (the *Asclepiadæ* in Cos, the *Dædalidæ* at Athens, the *Iamidæ* and *Clytiadæ* in Elis, the *Talthybiadæ* in Lacedæmon) may also be considered *indications* of such a division.

ments in Asia. 176. During these disturbances the power of the aristocracy increased. The title of King was in consequence exchanged for that of hereditary *Archon* (of the family of Codrus); but about 300 years later (B. C. 725) the office was made decennial; then thrown open to all the Eupatridæ; and finally divided among nine persons and made annual (B. C. 683).

§ 3. *Legislation of Draco.*

177. Under this dominant aristocracy the condition of the people became so intolerable, that Draco, one of the Archons (B. C. 624) was commissioned to frame a code of laws (*θεσμοί*). But the unreasonable severity of these new enactments, and the aristocratic spirit which pervaded them, served only to aggravate the disputes between the two parties, which continued until the time of Solon, who was appointed to the archonship in (B. C.) 594.

§ 4. *Solon's constitution.*

178. The first step of Solon towards lightening the public burdens, was the debasement of the monetary standard. A new constitution was then formed, the chief feature of which was the division of the people into four classes, viz. *Πενηκισιομέδωνοι*, *Ἰππεῖς*, *Ζευγῖται*, and *Θῆτες*. This division was grounded on the census (*τίμημα*), according to which the taxes and military service required from each were duly proportioned. The fourth class were excused the payment of taxes, but were ineligible to office, and served in time of war as light-armed soldiers, and afterwards as seamen.

179. The ordinary offices were open to the first three classes, but the Archonship and consequently the office of judge in the court of Areopāgus, only to the first. All the citizens enjoyed the right of voting in the General Assembly (207), where the magistrates were chosen, and other affairs of state transacted. The proposed measures were brought before them by the

Senate (of four hundred). 180. Judges were chosen from the whole body of the people. The college of Areopagites was charged with the oversight not only of public officers, but of the life and behaviour of private individuals. In this manner Solon, by a comprehensive legislation, laid the foundation of a free constitution, the development of which (promoted as it was by his laws) would give effect to the Grecian passion for independent and universal activity.

§ 5. *Increase of popular influence.*

181. The death of Solon was the signal for fresh disputes between the popular party and the aristocracy, which ended in the establishment by Pisistrātus (B. C. 560), with the assistance of the people, of an autocratic sovereignty or tyranny. After the suppression of this power in B. C. 510, the influence of the democracy was increased by the addition of many citizens, and the establishment of various democratic institutions; as, for example, by a fresh division of the people into ten Phylæ, and 100 (or perhaps 174) Demi;⁷ and by the Ostracism (220). 182. But it was at the end of the Persian war that the people, in spite of many struggles on the part of the aristocracy to retain the balance of power, became possessed of an overwhelming preponderance; partly through the importance attached to the naval service, which brought into request the active and laborious qualities of the lower orders; partly through the ruin of so many rich individuals; and above all through the eager longing after additional power, which was the natural result of their previous triumphs. So early as the time of Clisthēnes (B. C. 508) the magistrates were elected by lot; and by a law of Aristodēmus the pecuniary qualification, as settled by the census, was abolished; thus increasing to an enormous extent the power of the democracy.

⁷ See Thirlwall's *Hist. of Greece*, vol. i. p. 193, and Appendix iii.

§ 6. *Decline of the constitution.*

183. The increase of wealth consequent on their naval superiority, and its necessary results, luxury and extravagance, had a corrupting effect on the character of the people. The democratic influence began to be abused; and the doctrine that all men were eligible to offices of state, gave birth to the monstrous notion that all were equally qualified, without reference to their talents or fitness for the office. Presents and largesses (*θεοροκόν*⁸) began to have their due effect; by degrees the practice was introduced of remunerating men for their attendance at courts of justice or the public assemblies; the office of Areopagite fell into contempt.

184. Pericles, the author of many of these changes (B. C. 469—429) kept, it is true, the people to a certain extent within bounds through his personal influence and the respect in which he was held; but after his death the injurious effects of the system became only the more apparent. The mass of the people continued to separate more and more their own interest from that of the state, and to view in public or individual prosperity only the means of gratifying their own wants or appetites: rich citizens were annoyed by informations (*Sycophantiæ*), the allies of the state ruined by extortions. 185. Demagogues, fully instructed by the Sophists in the arts of political logic and popular rhetoric, flattered the selfishness and vanity of the people, and availed themselves of their credulity, mistrust, and superstition. In better days this power had been wielded nobly by such men as Miltiades, Themistocles, Aristides, and Pericles; but in the hands of Cleon, Alcibiades, Hyperbölus, and Cleophon, it became an instrument of unmixed evil.

§ 7. *The subject continued.*

186. The aristocracy, which had long been endeavouring again to raise its head, availed itself of the

⁸ Properly "*play-money*," given to the poor to pay their seats in the theatre with.

sudden scarcity of money and the confusion caused by the desertion of the allies in the Peloponnesian war (B. C. 411), to restore the more aristocratic features of the government, such as the Senate of four hundred, and the Popular Assembly of five thousand; but its success was very short-lived. At the end of the war (B. C. 404), Lysander introduced an oligarchical form of government, the administration of which was intrusted to thirty individuals chosen out of the body of four hundred senators, but the tyrants abused their power, and were speedily deposed by Thrasybŭlus. 187. After various struggles the democratic constitution was re-established (B. C. 363): the code of Solon, with certain modifications, again became the law of the land, and the authority of the Areopāgus was revived. But the character of the people had in the mean time degenerated, whilst the admission of foreigners and slaves to the privileges of citizenship had augmented the numbers of the lowest class; all the abuses of the democracy returned therefore with increased force, and real liberty was gradually lost under the influence of the Macedonians (Chæronēa B. C. 338, Cranon 322) and Romans; although some of the ancient constitutional forms were still retained at Athens with the name of a free state, which she continued to enjoy until the dissolution of the empire.

Having thus given an outline of the various changes in the Athenian constitution, we shall proceed to describe her polity during the season of her greatest prosperity.

Inhabitants of the State, and their Classification.

§ 1. *Citizens by birth.*

188. The inhabitants of Attica were either freemen or slaves. The freemen were either Attic citizens or foreign settlers; and lastly, the citizens were such as enjoyed the privilege in virtue of their birthright, or

were *admitted* to the rights of citizenship. According to the law of Solon every man was entitled to full political rights (*πολιτεία*) whose father was a citizen, even although the mother was a native of some other state, with which the citizens of Athens had no connubial relations* (*ἐπιγαμία*). A law however was passed by Pericles, that this privilege should belong only to legitimate children, both of whose parents were citizens. During the Peloponnesian war this law seems to have been disregarded, but it was afterwards re-enacted. 189. On attaining his eighteenth year, the youth, after a previous examination (*δοκιμασία*) was admitted into the number of the Ephēbi, and his name inscribed in the register of his demus; then he was brought before the public assembly, a shield and spear placed in his hands, and an oath administered that he would serve the state faithfully. From this period he dated his legal majority. 190. He was then required to serve two years in Attica as guard of the frontier (*περίπολος*), after which he was permitted to attend the public meetings and to bear arms abroad. The higher offices of the state, however, were not open to him until his thirtieth year. Those only could exercise full political rights who were *ἐπίτιμοι*; men who had lost one or more of their privileges were termed *ἄτιμοι*. This *Atimia* was either temporary or perpetual, and might be more or less severe.

§ 2. *Persons admitted into the rank of citizens.*

191. By the constitution of Solon no foreigner could be admitted to the rights of citizenship, unless he had done the state some service, and was regularly domiciliated at Athens. The freedom of the city could only be granted by consent of two public Assemblies, the decision of the first being null unless confirmed by the secret votes of six thousand citizens at the second; and even this decree, like any other, might

* The children in such cases were termed *νόθοι*.

be set aside within the year by a γραφή παρανόμων. The persons thus admitted were denominated δημοποίητοι, or simply ποίητοι. 192. In some respects their position was not precisely the same as that of the native citizens, neither the priesthood nor the archonship being open to them. They were also excluded from the wards or sections, which partook to a certain extent of the family character (Phratriæ and Gene). In the early days of the Athenian commonwealth the freedom of the city was seldom bestowed; but latterly the admission of foreigners to that privilege was more frequent. In the year 427, after the destruction of Platæa, the honour was conferred on all the inhabitants, as a reward for their tried fidelity, and towards the close of the Peloponnesian war many of the Metæci (193) were made citizens.¹

§ 3. Metæci.

193. Although the state conferred the privilege of citizenship only on a few, many were placed, through the liberality of the Athenians, under the protection of their laws, and permitted to share most of the advantages which they themselves enjoyed (φιλοξενία). The number of foreigners or Metæci (μέτοικοι), whom the capabilities of the soil, or the character of its inhabitants, or the hope of gain, attracted to Attica, was always very considerable. They were not allowed to possess landed property, nor to intermarry with the citizens; the attempt to exercise any political right or to appear before a court of justice personally and not by their advocate (προστάτης), subjected them to enslavement; the payment of a yearly tribute was also exacted from them (μετοίκιον, ξεικὰ τελεῖν): but, on the other hand, they were permitted to exercise their trades as freely as the native citizens. 194. Extraordinary

¹ It would seem, however, that neither they nor the inhabitants of the Boeotian towns *Eleuthera* and *Orôpus*, after they were united to Attica, received the full rights of citizenship, but were still subject to some restrictions.

contributions (*εἰσφοραί*), expensive public services (*λειτουργίαι*), benevolences (*ἐπιδόσεις*), and military duties, were required from them no less than from the Athenians. At certain festivals they were obliged to carry the sacrificial bowls, water-pots, and umbrellas. Any relief from their special disabilities could only be obtained through a decree of the people. To this class belong the *ἰσοτελεῖς*, who, in consequence of their meritorious services, were placed, at least as far as private rights were concerned, on an equality with the citizens.²

§ 4. *Slaves.*

195. Attica had no bondsmen, like the Lacedæmonian Helots. Their slaves were either purchased from dealers, or taken in war, or born in their houses (*οἰκογενεῖς*). Persons might also be condemned to slavery as a punishment. Slaves were either private or public (*δοῦλοι δημόσιοι*). The public slaves were employed in various inferior duties, and especially as an armed police, under the name of *the Scythians*, or the *Archerguard* (*ποξόται*), a corps which consisted at first of three hundred men, and afterwards of twelve hundred, who kept guard in the *Agōra*, and subsequently on the *Areopagus*. 196. The condition of these slaves was for the most part very endurable. Even those who belonged to individuals were to a considerable extent under the protection of the law. It is doubtful, indeed, whether they were allowed to possess property: but their masters were forbidden to put them to death; and in any gross case of ill-treatment they were permitted to seek an asylum in the Temple of Theseus, and demand to be re-sold. 197. Emancipations were frequent; freedom, and even political privileges being

² Individuals as well as whole states were sometimes allowed to possess certain privileges, such as the right of intermarriage with Athenian citizens, of holding landed property in Attica, and of freedom from taxation (*ἀτέλεια*). This was particularly the case with regard to the *πρόξενοι* or consuls, appointed by the state to watch over the interests of Athens in foreign countries.

often conferred on those who distinguished themselves in war, where they were especially employed as seamen. But they were never allowed to visit the *Gymnasia*, nor to be present at the public assemblies; nor could they appear as witnesses, except in cases of murder, as *μηνταί*. Their evidence had no weight unless obtained by torture. 198. Emancipated slaves (*ἀπελευθέρτοι*) were admitted into the class of *Metæci* (193), their former master being now their *Prostâtes* or patron. Those who rejected this protection, might be again condemned to slavery by means of a *δίκη* or *γραφὴ ἀποστασίον*. The population of Attica in her best days exceeded 500,000, of whom about 365,000 were slaves, 45,000 *Metæci*, and the rest citizens, or about 10,000 families of *Metæci*, and 20,000 of citizens.

§ 5. *Phylæ and Demi.*

199. Complete political rights qualified the possessor for admission into certain communities or associations, which were governed by their own officers. To this class belong the *φυλαί*, *δῆμοι*, *φρατρίαι*, and *γένη*. The first two in their more recent form derived their origin from Clisthènes (B. C. 508), who changed the number of the ancient Ionic tribes from four to ten, viz. Erechthæis, Aigæis, Pandiōnis, Leontis, Akamantis, Oinæis, Cecrōpis, Hippothontis, Aiantis, and Antiōchis. 200. These were divided probably into one hundred and seventy-four *Demi* (181), the names of which were derived either from remarkable spots within their limits, as Marathon and Eleusis, or from the most important families among their inhabitants, such as the *Dædalidæ* and *Ionidæ*. The *Demi* which belonged to each *Phyle* were not necessarily adjoining districts, but were often at some distance from each other; and as the son's name was always inscribed in the register of his father's *Demus*, the actual residence of an individual might be totally distinct from the *Demus* to which he belonged.

§ 6. *Administration of these communities.*

201. Each Phyle had its own sanctuaries, lands, and treasury; with treasurers (*ταμίαι*), and other officers (*ἐπιμεληταὶ τῶν φυλῶν*). In the public assemblies of the Phyle the affairs of the community were transacted, local officers chosen, and persons selected to discharge the public *Λειτουργίαι*. Even the Demi had their sanctuaries, assemblies, lands, treasury, and officers, such as the Tamias, the Demarch (*δήμαρχος*), and the Euthynus (*εὐθύνος*). Youths, on attaining their eighteenth year were enrolled in the register (*ληξιαρχικὸν γραμματεῖον*) of the Demus to which their father belonged. The same rule was observed also with regard to elder persons in case of adoption. 202. As it sometimes happened that the names of persons were inserted surreptitiously in these lists, a revision was made from time to time, and the names of disqualified individuals expunged from the list of Demōtæ (*δημόται*). They might, if they thought fit, appeal against this disfranchisement; but if they failed to make their claims good, they were condemned to slavery.

§ 7. *Phratriæ and Gene.*

203. The division into twelve phratriæ (*φρατρίαι*), and thirty families (*γένη*) in every phratría, was of great antiquity, and seems to have sustained no alteration at the hands of Clisthenes. These divisions were in fact entirely independent of those mentioned in the last section, being not so much political as religious and private associations, either originating in extended family connexions, or organized on the plan of such communities. Thus although persons admitted to the rights of citizenship (*δημοποῖητοι*), were, as a matter of course, incorporated into some Tribe or Demus, they were excluded from these associations; and in consequence were ineligible to the office either of Priest or Archon; but they might be created *φράτορες* by a decree of the people, or by adoption into the family of a

native citizen. 204. At the Apaturia (*Ἀπατούρια*), an Ionic national feast, the names of new-born children were enrolled in the register of the Phratia, an arrangement which acted as a check on those who claimed the right of citizenship in virtue of their birth. One of the family duties of the Phratōres was to support the relations of a murdered person in their application for justice, or, where there were no relations, themselves to become the prosecutors. The affairs of the Phratia were managed by Phratriarchs. 205. Families were originally thirty in each Phratia, each Family being also subdivided into thirty Households (*οἰκίαι*). These *γένη* were upheld as much as possible on religious grounds, partly on account of the *sacra privata*, partly for the sake of the priesthoods which belonged to certain Families. They had their own sanctuaries and places of meeting (*λέσχαι*). None but the members of these Phratriæ and Gene were permitted to assist at the worship of *Ἀπόλλων πατρός* and *Ζεὺς ἑρκεῖος*.

§ 8. *Trittyes and Naucrariæ.*

206. Another, and it would seem a more recent division, was into twelve *τριτύες* and forty-eight *ναυκραρίαι*, four in each Tritty. Two more were added by Clisthenes. These divisions seem to have had reference to some financial arrangements; but nothing certain is known about them.

THE POPULAR ASSEMBLY (*Ἐκκλησία*).

§ 1. *Number, place, and mode of summoning.*

207. The sovereign power of the people was exercised in their public assemblies. Originally there was one ordinary (*νόμμοι* or *ἐννομοι*) assembly held in each Prytaneia (*ἐκκλησίαι κύριαι*) and afterwards four. Each of these had its particular business, but this rule does

not seem to have been always very rigidly observed. On special occasions extraordinary meetings were convened. These were termed *σύγκλητοι*, or if the people were summoned from the country *κατάκλητοι*. 208. At the ordinary meetings the people used in ancient times to assemble in the agora, afterwards on the Pnyx, opposite the Areopagus; then in the theatre of Dionysus; the assembly for the election of commanders, but no other, being still held on the Pnyx. The regular summoners were the Prytanes, who invited the people to attend by an edict previously to the day of meeting. On that day they were called together by heralds and signals. 209. The maintenance of order devolved on the six Lexiarchs, whose duty it was to reject unqualified persons, and give to each qualified citizen a ticket, for which, on showing it to the Thesmothetæ (236), he received an obolus; in later times three oboli. Those who came too late received no payment, and absentees might be punished by fine, attendance at these meetings being the duty of every citizen.

§ 2. Proceedings at these assemblies.

210. The meeting was opened with a purificatory sacrifice and prayer. Then the subject to be discussed was generally introduced by one of the Proedri, who were previously furnished with a written copy of the proposed law. If the deliberation of the Senate were not required, the proposed law was read, and the people asked whether they would adopt it. Their approbation was expressed by holding up their hands (*προχειροτονεῖν, προχειροτονία*). If the matter required debate, all above fifty years of age, and then all citizens duly qualified, were invited to deliver their opinions.³ 211. It was not lawful to interrupt the speaker, but he could only speak once on the same question, and was required to confine himself to the subject before the meeting. Those who transgressed these rules might be removed by the Proedri from the rostrum, turned

³ This practice seems to have been soon discontinued.

out of the Assembly, and fined fifty drachmæ. In after times they were assisted in maintaining order by a Phyle, chosen by lot for that purpose. 212. Each of the Proedri seems to have possessed the right of protesting against the voting, a severe penalty being imposed on those who either obstructed or permitted it (*ἐπιψηφίζειν, διαχειροτοσίαν δίδόναι*) illegally. Private individuals could also interfere, even after the proposal had been gone through, provided they declared on oath their intention of proceeding against the proposer for bringing forward an illegal motion (*γραφή παρανόμων*).

§ 3. *The subject continued.*

213. The usual manner of voting was by holding up the hands (*χειροτορία*). Another mode, employed on occasions where an individual case was decided (for example in the ostracism (220), the admission of foreigners to the rights of citizenship, the restoration of convicted persons to their civil privileges, and the apportionment of punishment to heavy offences), was the use of pebbles (*ψῆφοι*). In such cases it was necessary that at least six thousand citizens should have voted.⁴ After the votes were taken, the result (*ψήφισμα*) was declared, and the decree engraved either on stone or brass, and deposited in the archives of the state. If the question could not be settled in one day, or the meeting were prematurely broken up on account of lightning or any similar *δυσσημία*, it might be reassembled on the following day.

§ 4. *Subjects of deliberation.*

214. All the most important affairs of state were decided in these assemblies by the sovereign authority of the people. Under this head we may class, war, peace, the conclusion of alliances, arrangements re-

⁴ It seems uncertain whether the law required six thousand to be present, or six thousand to vote for the proposed measure. See Thirlwall's *Hist. of Greece*, vol. i. p. 194.

specting every description of warlike *materiel*, expenditure of the public revenues, settlement of taxes, &c., introduction of new forms of worship and festivals, with other matters pertaining to religion, adjudication of the highest public rewards (such as honorary chaplets, statues in public squares, maintenance in the Prytaneum, exemption from taxes, and finally the admission of foreigners to civil privileges). Ambassadors to foreign states, as well as those sent by other nations to Athens, were also required to submit their reports, first to the Senate, and then to the popular Assembly.

§ 5. *Legislative authority of the Assembly (Ecclesia).*

215. The legislative authority of the *Ecclesia* was in ancient times so circumscribed, that, although the consent of the people was requisite to the passing or repeal of any law, the real decision rested with a limited number of aged men, who were bound by oath to discharge their duties faithfully. At the first assembly held in each year, the people were asked, whether they desired any alteration in the existing laws. If the Assembly decided that any change in them might be brought forward, it was next required that the proposed alterations should be laid before the meeting by those who were anxious to move their adoption; then the people chose five advocates (*συνήγοροι, σύνδικοι*), to defend the old laws. After this, *Nomothætæ* (*νομοθέται*), who received pay from the state, were chosen by lot out of the persons who during that year had taken the oath required of Heliasts (255). These formed a court, over which the Prytanes and Proedri presided, and after hearing arguments against the old law from the proposers of the new, and the arguments of the advocates on the other side, pronounced their judgment, which decided the question. 216. The proposed law, however, even with this sanction, might be contested by means of a *χρηγή παρανόμων*. It was then suspended, and the matter referred to an assembly, which had the power not only of annulling the law, but even of

capriciously inflicting punishment on its author; a power often abused in after times by demagogues and sycophants. This yearly revision of the laws was termed *ἐπιχειροτομία*. As the unbridled license of the democracy increased, we find frequent instances of laws passed by the people without the intervention of the *Nomothetæ*. To avoid gaps and contradictions in the legal code, it was decreed, that no new law should be passed without the repeal of the old, nor any old law be repealed without the introduction of a new one.

§ 6. *The subject continued.*

217. All the officers of state were originally elected by the people; but afterwards, when the power of the democracy increased, and the true principles of equality began to be misunderstood, they were chosen by lot, no elections being decided by vote, except in the case of particular offices which seemed to require special qualifications or a sort of public confidence, such as certain military and financial functions, embassies, the office of the ten *Sophronistæ*, &c. The meetings called for the purpose of electing magistrates were termed *ἀρχαιρεσίαι*. 218. The candidates, especially in later times, frequently employed (*ἀρχαιρεσιάζειν, σπουδαρχιῆν*) the most illegal means in order to secure their return, and were only kept within bounds by the severest penalties. After their entry on office, they might be removed by the people for misconduct; and to this end at the first meeting in each *Prytany* (*ἐκκλησία πρυτανία*), the *Archon* asked the people, whether they wished the magistrates to be continued in office or dismissed.

§ 7. *Judicial authority of the Assembly.*

219. Before the Assembly, as a court of justice, were brought complaints against magistrates and other unusually weighty charges; the proceedings in such cases being founded either on an information (*μήνυσις*), or an

ndictment (εἰσαγγελία). Cases of this description might also be brought before the Senate, which had the power of inflicting penalties to the extent of five hundred drachmæ; but the more important questions were referred to the people, who nevertheless seldom voted, (as they did on the trial of the commanders in the battle at the Arginusian islands), but chose rather to refer the cause to the decision of the ordinary court of the Heliasts, electing at the same time *σύνδικοι* or *συνήγοροι*, who were to act as public prosecutors in conjunction with the principal accuser. Different from this were the *προβολαί*, or previous complaints, which were intended to prepare the people for further proceedings, and to enlist their prejudices on the side of charges hereafter to be brought before the courts of justice. This mode of proceeding was especially adopted with reference to charges against important personages or party-leaders.

§ 8. *The Ostracism.*⁵

220. It should be borne in mind that the Ostracism was not a judicial or penal measure, but simply a political plan for averting any dangers which might threaten public liberty or equality. Every year at a particular season the people were asked by the Prytanes, whether they desired that the Ostracism should be employed; and if they answered in the affirmative, an assembly was held in the *ἀγορά*, at which their wishes were declared by voting, it being, however, understood that no decision was valid, unless the number of votes amounted to six thousand. 221. Persons condemned by the Ostracism were required to leave the city within ten days, and absent themselves from the country for ten years.⁶ They might however be recalled before the expiration of the time by the people, who possessed the exclusive right of remitting any punishment or

⁵ The ostracism existed also in Argos, Megara, Syracuse, and Miletus. Its institution is ascribed to Clisthenes.

⁶ The time of absence was afterwards restricted to five years.

Atimia. No disgrace was attached to the Ostracism nor was any injury done to the house or property of the banished man. The most distinguished men of Athens were compelled to submit to this proscription, until the administration of Alcibiades, who contrived, after the banishment of the demagogue Hyperbölus, to obtain the abolition of the Ostracism.

§ 9. The Senate or Council' (βουλή)

Qualification of Members. Privileges.

222. In the time of Solon the Senate consisted of four hundred members, viz. one hundred from each of the four Phylæ; under Clisthenes the number was increased to five hundred, fifty from each of the new Phylæ. In the olden time only the first three classes (πεντακοσιομέδιμνοι, ἱππεῖς, and ζευγῖται) were eligible to the office, but when the power of the people increased, the qualification was extended to all who were ἐπίτιμοι and thirty years of age. The Senators were elected annually by lot (probably after the time of Clisthenes). The same members might, however, be re-elected. After their election they were required to submit to a δοκιμασία, and if the result were unsatisfactory, others were appointed to supply their places. 223. Before entering on office they took an oath to discharge faithfully their senatorial duties ((ὄρκος βουλευτικός), and even during their session might be expelled by their colleagues for misconduct. In all other respects, however, they seem to have been irresponsible, except with re-

² (Called "the Council" by Thirlwall. *History of Greece*, vol. i. p. 194.) The senate possessed the initiative in all deliberations, with higher administrative authority; in this sense, therefore, it may be called a distinct estate. But in all other points of view, the Bouleutæ, no less than the judges (or jurors: Heliastæ), and the Legislative Committee (the Nomothetæ), must be considered as a small committee of the people themselves, in opposition to the magistrates, who were their servants. A further proof of this was their irresponsibility; and at a later period the remuneration which they received out of the state treasury, as members of the General Assembly. In early times, the second council, called the Areopāgus, possessed also considerable power and influence.

ference to their financial administration. Each Senator received daily from the state one drachma as a remuneration for his services. Their privileges were, exemption from military service during their year of office, and a particular place in the theatre (τόπος βουλευτικός). Their badge was a myrtle chaplet, which they wore at the meetings of the Senate. If they discharged their duties faithfully, the people generally awarded a golden chaplet to the whole college at the expiration of their year of office.

§ 10. *Duties of the Senate.*

224. The duties of the Senate consisted partly in discussing and preparing the measures which were to be laid before the people (προβουλεύειν, προβούλευμα), partly in the management of various ordinary and extraordinary matters. They received the reports of ambassadors, gave audience to the envoys of foreign powers and introduced them to the General Assembly, managed the δοκίμασίαι (231) of the Archons, &c. Their office also comprehended the administration of matters of finance, war, and justice. In the character of a Committee of Finance they arranged the farming of the public revenues, received the rents, kept the accounts, exercised a general superintendence and control over all public accountants and receivers, and laid before the people a statement of the public receipts and expenditure, besides distributing the state allowance to the poor and infirm. 225. The Senate also superintended the annual building of vessels for the fleet, and inspected the standing body of cavalry, which at first consisted of 300, then 600, and afterwards of 1000, or, including the Hippotoxotæ, 1200 men. They exercised also a judicial authority in receiving and disposing of complaints, which the aggrieved party was either unable or unwilling to bring before the people, and had the power of punishing minor offences by the infliction of a fine not exceeding 500 drachmæ. More important cases were decided in the usual way. unless

the people under peculiar circumstances thought fit to give increased judicial authority to the Senate. The decisions of the Senate were binding only during the period of their session.

§ 11. *Manner of assembling.*

226. The Senate generally assembled in the Senate-House (*βουλευτήριον*) on the Ceramicus, every day except festivals. Their meetings seem to have been public, except in particular cases where secrecy was necessary. To avoid, however, the inconvenience of detaining all the members throughout the day, and at the same time not to deprive the people at any time of their highest deliberate council, the Senate was divided into sections; by which arrangement a tenth part of the whole body, or the Senators of one Phyle, sat during a tenth part of the year (*φυλή πρυτανεύουσα*). The time during which a Phyle discharged this duty was termed a *Prytany* (*πρυτανεία*), the members *Prytanes* (*πρυτάνεις*), and their place of meeting *πρυτανεῖον* (to be distinguished from the ancient Prytanæum near the Acropolis), *Θόλος* or *Σωιάς*. 227. Here they were entertained at the public expense, in company with the *ἀεῖσιτοι*, or officers entitled to that privilege, foreign ambassadors, and such citizens as had done any remarkable service to the state. One of the Prytanes acted as President (*ἐπιστάτης*) of the day, and took charge of the keys of the Acropolis, Treasury, and Public Records, as well as the state seal. He also presided at the sittings of the Prytanes and Senate, and acted as chairman of the General Assembly. At a later period we find nine other *πρόεδροι*, one from each tribe, and also a *φυλή προεδρεύουσα*. 228. Without the permission of these Presidents, no question could be put to the vote (*ἐπιψηφίζειν*); but the possession of this power was a privilege, for the proper exercise of which they were responsible. In ordinary years a Prytany lasted thirty-five or thirty-six days, but in leap year thirty-eight or thirty-nine. Each Prytany

had its secretary (*γραμματεὺς*), chosen by lot, and its *ἀντιγραφεὺς* for the drawing up of public records and accounts. Sacrifices (*εἰσιτήρια* and *ἐξιτήρια*) were offered at the opening and close of each session. The daily sitting also commenced with prayer, particularly to Zeus, Athēne, and Hestia *βουλαία*.

C. The Magistrates (*ἄρχαι*).

§ 12. *Different Classes of Public Functionaries.*

229. The functionaries of the state were, (1) The *ἄρχοντες*, or Magistrates properly so called, who were intrusted, after previous trial, with the administration of a certain branch of the executive government, subject to the supremacy of the law and of the popular will. They exercised also a sort of jurisdiction within their own department, subject always to the control of the ruling powers. (2) The *ἐπιμεληταί*, who were intrusted for a definite period (generally thirty days) with the management of some particular business, such as embassies, *Synegoriæ* (215), &c. (3) *Τηγέται*, servants who discharged subordinate duties under the control of the others, and were for the most part either slaves or freedmen. 230. The first two classes were elected either by lot with *κῶμοι* in the temple of Theseus under the superintendence of the six *Thesmothetæ* (236), or by the votes of the people in general, or in particular cases, of a single tribe (*ἄρχοντες κληρωτοὶ* or *ἀπὸ κῶμου* or *κῶμεντοί*, also *χειροτονητοί* or *αἵρετοί*). Generally speaking the lot was the mode of election in the case of *ἄρχαι* properly so called.

§ 13. *The Proof of Qualification (δοκιμασία).*

231. Before entering on office the newly-elected functionaries were required to undergo an examination before the people, and in the case of the Archons before the Senate also. This, however, was not a

trial of their abilities and fitness for office, but rather an inquiry into their political competence, and into certain leading particulars of their lives and conversations, such as whether they fulfilled the duties of piety, good citizenship, &c. 232. From the time of Aristides every citizen was entitled to become a candidate for any public office; no property qualification being requisite, except for particular situations of especial trust: for example, landed property in Attica and children begotten in lawful marriage for the office of commander-in-chief; citizenship in the third generation (*ἐκ τριγονίας*) for the priesthood and archonship. The proper age, as some suppose, was after the thirtieth year. The candidate must also be free from bodily defects (*ἀφελεῖς, μὴ ἀνάπηροι*). Those who were rejected (*οἱ ἀποδοκιμασθέντες*) at this trial (at which each citizen was permitted to state his objections) were punished with *Atimia*.

§ 14. Responsibility of Magistrates.

233. Every magistrate was required to render an account of his administration, particularly with regard to the expenditure of public money. This rule applied not only to magistrates, but to all who had public money in their hands, such as the *Diætētæ* (258), *Trierarchs*, *Priests*, and *Ambassadors*. Their accounts were delivered to ten *Logistæ* (*λογισταί*) chosen by lot, who either checked them themselves or handed them over to ten *Euthyni* (*εὐθύναι*) who were also chosen by lot.* Those who could not render a satisfactory account were summoned to appear before a court, presided over by the *Logistæ*. 234. In this court the interests of the state were represented by ten *συνήγοροι* or *σύνδικοι* chosen by lot for that purpose, but each citizen might act as an accuser. Until his accounts were passed,

* The relation of the *Euthyni* to the *Logistæ* does not very distinctly appear. Some suppose that they were one and the same, or that *Logistæ* was a more modern name for the *Euthyni*. See Smith's *Dictionary of Antiquities*, article *Euthyni*.

no citizen could leave the country, or take any other office. He was also deprived of certain other civil rights and immunities. The accounts were generally engraved on stone, and exhibited in public. Many inscriptions of this sort have been discovered. Notwithstanding all these precautions, frauds were often committed, especially in later times, and even the Logistæ themselves were not unfrequently bribed.

§ 15. *Limits of their power.*

235. The power of the Magistrates was gradually confined within narrower limits, as the people became more powerful. They continued a shorter time in office, their duties were more subdivided, and they were liable to have charges brought against them at the revision (*ἐπιχειροτονία* and *ἀποχειροτόνησις*) which took place at the first Ecclesia in each Prytany. No one could hold the same office twice, or be appointed to two *ἀρχαί* in the same year. The Magistrates had, it is true, the power of imposing an inconsiderable fine; but even then the party condemned might appeal to the popular tribunal. They were, however, protected against assaults or insulting language. The only insignia of which we read, were the myrtle chaplets worn by the nine Archons and some other officers.

§ 16. *The Archons.*

236. The highest magisterial office was that of Archon. Of the nine Archons the first (who gave his name to the year) was styled simply *ἄρχων*,⁹ the second *βασιλεύς*, the third *πολέμαρχος*, and the rest *θεσμοθέται*. The authority of these Archons, originally so great, was afterwards, when the democracy became more powerful, restricted to the preparation of indictments, and the presidency in the popular court. They had, it is true, judicial authority in small matters, subject

⁹ In non-Attic writers, and especially in the Grammarians, *ἄρχων* *ἐπώνυμος*.

however to an appeal. The duty of the Archon was to settle actions relating to disputed successions and other family affairs; the Polemarch decided similar disputes between resident aliens (μέτοικοι) and foreigners; nothing remaining of the ancient military functions except the duty of superintending the funerals of those who fell in battle. The βασιλεύς had jurisdiction in questions connected with religion; and the Thesmothetæ in all other matters. 237. Certain duties devolved also on the Archons as a body; for instance, to choose the judges yearly by lot, to inquire in the ἐκκλησία κνρία, whether the people desired to retain or dismiss the magistrates, and to preside at the election of certain military functionaries. The three first-named Archons chose each two assessors (πάρεδροι). Before entering on the office they were required to take an oath; and after the expiration of their year, if they had discharged their duties satisfactorily, they became members of the court of Areopagus.

§ 17. *Various Police Functionaries.*

238. The Eleven (οἱ ἑνδεκα) were chosen by lot, probably one (with a γραμματεὺς) from each Phyle. They were charged with carrying into execution the sentences on offenders, and with the management of the prisons, took cognizance of any breach of duty on the part of the police, and in certain cases, where the offence was public and *in confesso*, had themselves the right of punishing notorious offenders and common rogues. The ἀστυνόμοι were ten in number, chosen also by lot, one from each Phyle, five in the city, and five in the Piræus. They were charged with providing for the security and cleanliness of the streets, and other matters of city police. 239. We read also of officers called ὁδοποιοί expressly appointed to keep the streets in repair, and ἐπιστάται τῶν ὑδάτων, who took charge of the water-courses. The Areopagus also superintended many arrangements connected with public order. The ἀγορανόμοι (five in the city and five in the Piræus)

inspected all goods brought to market, besides exercising a general superintendence over matters connected with trade. Similar duties devolved on the fifteen *σιτοφύλακες* and the same number of *μετρηγόμενοι*. Navigation, imports, and exports, &c., were superintended by ten *ἐπιμεληταὶ τοῦ ἐμπορίου*, who were chosen by lot. All these functionaries had a certain jurisdiction within their own department.

§ 18. *Extraordinary Functionaries.*

240. We may notice as functionaries appointed for extraordinary duties, the *σύνδικοι* or *συνήγοροι* (already mentioned, 215), who were the public advocates or counsel; the managers of religious festivals (e. g. the *ἐπιμεληταὶ τῶν Διονυσίων*); the purchasers of beasts for sacrifice (*βοῶναι*), or of grain (*σιτῶναι*), the ten judges of the sports (*ἀθλοθέται*) at the Panthenaic festival; the ten *σωφρονισταί* or superintendents of the boys and young men, and lastly the ambassadors, of whom those employed on the affairs of religion were termed *θεωροί*, and those despatched to the Amphictyonic council *ιεροεγγήμονες* and *πυλαγόροι* or *πυλαγόραι*.

§ 19. *Public Servants.*

241. Among these may be mentioned, the *γραμματεῖς*, generally slaves, or at least persons of the lowest class; the *κῆρυκες*, who attended on the higher functionaries, the senate, the Areopagus, and the people; and many others, all slaves, and comprehended under the general name of *δημόσιοι* (*ὑπηρέται*).

ADMINISTRATION OF THE GOVERNMENT.

A. Administration of Justice.

§ 1. *Sources of our information respecting the Attic Jurisprudence.*

242. Of the ancient Attic jurisprudence before the times of Solon and Clisthenes, scarcely any thing is

known. The whole system of Solon's legislation was based on the enlargement of a ground-plan which already existed, and in process of time became more and more developed through the practical working of the laws; for that theory had little influence is evident from the fact, that in the whole range of Grecian literature not a single jurist, properly so called, is to be found. Our principal sources of information on this subject are derived from the writings of the orators and the later grammarians.

Laws relating to private persons ¹

§ 2. *Marriage.*

243. The only forbidden degrees were those of parents and children, and of brothers and sisters by the same mother. It was required that every marriage should be preceded by a betrothal (*ἐγγύησις*), with consent of the nearest male relatives, or guardian (*κύριος*) of the maiden, otherwise it was not fully legitimate, and did not entitle the parties to all the privileges of lawful matrimony, *e. g.* the *jura agnationis* (*ἀγχιστεία*), which only belonged to children begotten in marriage in every respect regular (*γνήσιοι, ὁρθῶς γεγενημένοι*). A man was permitted to have only one wife, but concubinage was not forbidden.² 244. The marriage was sanctioned by a sacrificial meal, given to the members of the bridegroom's Phratría, into which the bride was now received. The dowry was generally given by the father or *κύριος* of the bride; the husband had only the usufruct, and was obliged to give security, that, in the event of death or separation, the woman or her kindred should receive it back. The husband might

¹ The most important public rights have been already explained in the preceding sections.

² In later times connexions with *ἐπιτραίειαι* had a fatal effect upon the domestic life of the Athenians.

divorce his wife (*ἐκπέμπειν*), but in that case must either restore her the dowry, or pay her the interest of it, and provide sufficiently for her maintenance. If both parties agreed to the separation, nothing further was requisite; but in the event of the wife wishing to leave (*ἀπολείπειν*) her husband, it was necessary for her to lodge a complaint before the Archon. 245. The next of kin could claim, in virtue of his relationship, the hand of an heiress or daughter left without brothers (*ἐπίκληρος*), even although she were married before the death of the testator; but on the other hand he was also compelled by law to marry even a poor *Epiclēros*, or give her a dowry on her marriage with another. These *ἐπίκληροι* were protected by the law from ill-treatment (*κάκωσις*) on the part of their husbands.

§ 3. *Parental Authority. Adoption. Guardianship.*

246. The authority of the father and its consequent privileges were dependent on the full legality of the marriage, in virtue of which the son's name was enrolled in the register of his father's Phratia. The father had the right of exposing his children, and of expelling or repudiating (*ἀποκηρύττειν*) his sons, if they deserved it. He was bound to teach his son a trade, and the son on his part was required in return to support his aged parents. Adoption (*εἰσποιήσις*) was generally employed as a means of obtaining an heir: sometimes it was viewed in the light of a duty undertaken for the purpose of keeping up the family and its *sacra*. It was always, however, subject to the condition, that there were no sons, and that if there were daughters, one of them should marry the adopted person, provided he were an Attic citizen. The adopted son could not return to his original family, unless he left an heir of his body in that which had adopted him. 247. Guardianship was under the superintendence of the state. By law the term "infant" or "minor" was applied not only to persons under age, who had either their father as their natural guardian (*κύριος*), or other

ἐπίτροποι, but also to women, who could not engage in any matter of importance without the consent of those under whose *manus* or *potestas* they were placed. The legal majority seems to have been attained on the completion of the eighteenth year, when the youth was admitted among the *Ephēbi*. Guardians, although in most cases those on whom relationship imposed that duty, might also be appointed by will. The guardianship of the *Epiclēri*, and the management of property belonging to minors, were subject to the control of the Archon.

§ 4. *Right of inheritance, and of making a Will.*

248. None but children begotten in regular marriage were entitled to the property of their parents; consequently *νόθοι* were excluded from this privilege, and could only claim a sum amounting at most to one thousand drachmæ. The same rule applied to adopted children: blood relationship, as a ground of claim to inheritance, is called *ἀγχιστεία*, and comprehended not only children, but collateral relations (by *συγγένεια*, in opposition to alliance by marriage, which conferred no such right). Sons who had been disinherited on insufficient grounds, might appeal. The children of one who at the time of his death was *ἄτιμος* on account of debt to the state, inherited the *ἀτιμία* and the obligations of their father. All the sons inherited equally, the daughters merely received a portion. In default of sons, the daughters inherited (*ἐπίκληροι*). 249. With regard to collateral relations, it was the Attic law, in cases of intestacy, that the males should inherit in preference to females, even although the latter were more nearly related to the deceased. When there were neither natural nor adopted heirs, the inheritance fell to a member of the same Phyle, except in the case of resident aliens (*μέτοικοι*), whose property, under those circumstances lapsed to the state. Every free citizen had the right of making a will (*διαθήκη*), with the exception of the *δημοποιοί* (191), adopted sons, and a

καὶ οἱ ἐκ τῆς αἰτίας

few others. Wills however were invalid, where there were heirs of the body not disqualified by law; but if they were only daughters, a stranger might inherit, subject to the condition of marrying one of them. 250. In all cases, legacies (*δωρεαί*) might be left, provided the estate and the rights of the natural heirs were not injured. None but citizens (including *δημοποίητοι*) could inherit property. Great importance was attached by the state to the subject of inheritances, the attention of the people being drawn to it at every *ἐκκλησία κορία*. The ground of this strictness seems to have been principally a religious fear, lest any house should become entirely extinct.

§ 5. *Laws relating to Obligations and Securities.*

251. The chief means of security in pecuniary transactions were written contracts (*συγγραφαί*) and oral testimony (*μαρτυρίαι*). By the code of Solon milder provisions were substituted for the old law of debt, which was very severe. Witnesses were present at the paying over of a loan to the borrower, and a written acknowledgment was also generally placed in the hands of a *τραπεζίτης*. As trade and barter increased, it became customary to deposit security (*ἐνέχυρον*). All borrowing and lending transactions connected with navigation and commerce being of the greatest importance to the state, the laws by which they were regulated were exceedingly exact and stringent. 252. The rate of interest was not fixed by Solon, and was generally very high (seldom under ten per cent). It was reckoned either as a per-centage on the sum lent, or as a certain portion of the capital, say $\frac{1}{3}$, $\frac{1}{6}$, or $\frac{1}{8}$. *Ἐγγύη* (security or bail) was permitted in all sorts of civil contracts, as well as in penal proceedings. The *βουλευταί* were required to swear, that they would not imprison any Athenian, provided he could obtain the security of three members of the same class with himself. This oath, however, did not apply to persons accused of high treason or to public defaulters. In the

transfer of real property, we find no traces of the **symbolic** usages employed by the Romans on such **occasions**.

Judges and Courts of Justice.

§ 6. *Historical Account of the Courts of Justice.*

253. Of the most ancient Attic courts of justice we know very little. The Archons inherited their judicial authority from the kings; but we find at a very early period mention made of the courts of the Areopagites and Ephētæ (262), the latter established by Draco, the former confirmed and extended by Solon. By Solon's constitutions the people in general were admitted to these courts: it does not seem, however, that the judicial authority of the Archons was immediately superseded; the usurpation of their functions by the people, so that nothing was left to the magistrates except the Hegemonia or presidency in the courts, having been gradually established, as the power of the democracy increased. 254. The overwhelming weight of business in these courts resulted from the obscurity and deficiencies of Athenian legislation in many points of view, the love of litigation inherent in the people, their endeavours to subject the decisions of magistrates to the revision of their courts, and at a later period from the arrogance, which would make Athens the forum in which all the disputes of her allies were to be settled. The courts of justice, besides those of the Areopagites and Ephētæ, were those of the Heliasts, the Diētētæ, the Forty, and in ancient times the Nautodīcæ, or judges in commercial suits.

§ 7. *The Heliasts.*

255. The *Heliasts* (δικασταί, or, from the name of their principal court ἡλιαία, *assembly*; ἄλιη in Herod., ἡλιασταί) were a body of judges (or *jurors*), who must be considered as the representatives of the judicial au-

subdursum

thority possessed by the whole people. Every year the nine Archons chose by lot six thousand citizens who had completed their thirtieth year, probably six hundred out of each phyle. Of these, five thousand were divided into ten decades, the remaining one thousand probably serving as a reserve. They were all required to take the oath of office. 256. When any cause was to be tried, it was decided by lot on the same morning, at which of the various spots and under the presidency of which magistrate each division should sit; the place was then marked out by judicial staves (*βακτηρίαι*), with different numbers and colours. The number of judges varied according to circumstances; sometimes several decades sitting, at others not even a single one entire; the number was, however, generally an uneven one. Questions respecting the desecration of the mysteries were tried only before such Heliasts as were initiated, those which regarded breaches of military discipline only before those who were themselves military men. 257. Their authority extended to all other cases, with the exception of indictments for murder or wounding with intent to kill. Each judge, on arriving at the appointed place, received a ticket (*σύμβολον*), on the production of which he was entitled (since the time of Pericles) to receive a remuneration of three oboli (*τρι-ώβολον ἡλιαστικόν*) from the Colacrētæ (*Κωλακρέται*). The number of places appointed for holding the courts is unknown. No sessions were held on days of public assembly, or on festival or unlucky days (*ἀποφράδες ἡμέραι*). On the last three days of the month, the court of Areopagites sat, but not the Heliasts.

§ 8. *The Diētētæ. The Forty.*

258. The court of the Diētētæ (*διαιτηταί*) was an inferior tribunal, to which private disputes were referred, in the first instance, subject to an appeal (*ἔφεσις*) before the Heliasts.* Four judges—scarcely forty-four

* Disputes were sometimes settled by private Diētētæ or arbitrators.

as some suppose—were chosen yearly by lot out of each phyle. They were required to be fifty or sixty years of age. In each cause only one Diētētes, chosen by the magistrate by lot out of the phyle of the defendant, sat as judge. They received small fees (*παραστάσεις*, *deposits*) from each trial. At the expiration of their office they were responsible to the Logistæ, and might be punished with Atimia. 259. The Forty (formerly the thirty) judges (*οἱ τετταράκοντα, οἱ κατὰ δῆμους δικάσται*) were also chosen by lot. They itinerated through the Demi, and decided private causes where the matter in dispute did not exceed ten drachmæ. On such questions they acted not only as judges *in judicio*, but as magistrates *in jure*.

§ 9. *The Court of the Areopagites.*

260. The early history of the Areopagus, and of the relation which it bore to the court of the Ephētæ, is very obscure. By the constitution of Solon, the court of Areopagus (*ἡ βουλὴ ἡ ἐξ Ἀρείου πάγου* or *ἐν Ἀρείῳ πάγῳ*), which consisted of men who had filled the office of Archon, took cognizance of wilful murder (committed or intended), poisoning, and arson. The judges were responsible, and might be arraigned before the Euthyni, or expelled by their colleagues. The duties of the Areopagites were originally much more extended, their court being not merely a *δικαστήριον*, but also a *βουλὴ*, the efforts of which were directed to the conservation of the laws and constitution, the restraint of popular licentiousness and magisterial delinquency, the punishment of offences against good order, such as idleness, luxury, debauchery, &c., the superintendence of education, and the maintenance of religion in its integrity and purity. 261. We find, after the time of Pericles, the authority of this court greatly circumscribed by a law of Ephialtis; and although it resumed its place as guardian of the laws after the time of the Thirty Tyrants (B. C. 403), it was prevented by the increasing democratic license and immorality from

ever recovering its former power and influence in the state; although on some critical occasions it assumed, or was invested with, extraordinary authority.

§ 10. *Court of the Ephētæ.*

262. The fifty-one Ephētæ (ἐφέται) composed a court, the organization of which has been ascribed principally to Draco. Their jurisdiction extended to cases of homicide (δίκαι φονικαί) of inferior atrocity. Their places of meeting varied, according to the nature of the cause to be tried; for instance, charges of unpremeditated manslaughter were brought before them at the Palladium (τὸ ἐπὶ Παλλαδίῳ), and of justifiable homicide at the Delphinium (τὸ ἐν Δελφινίῳ). The Ephētæ could not sentence to death, the severest penalty inflicted by them being banishment and confiscation of property. In later times their power seems to have been considerably reduced, the functions of their court being in a great measure usurped by the Heliasts.

§ 11. *Magistrates with Judicial Hegemonia.*

263. The judges, who were merely charged with inquiry into the fact and with the management of the consequent information, were also in most cases chosen by lot, but it depended on circumstances connected with the process itself, what magistrate should take charge of the preliminary proceedings and preside at the trial (ἡγεμονία τοῦ δικαστηρίου). For instance, in cases of disputed succession and family quarrels between citizens, this duty devolved on the Archon; in similar disputes between resident aliens (μέτοικοι) and foreigners, on the Polemarch; the King presided at trials relating to religious questions, as well as all sorts of homicide; and the Thesmothetæ in all other public and private causes, in so far as they did not belong to the jurisdiction of any particular magistrate; each judge having a peculiar precedence within his own department.

§ 12. *Accusations.—Qualifications of Plaintiffs.*

264. None but citizens in the possession of full political rights were permitted to plead in person. All others must be represented by a person so qualified; for instance, the slave by his master, the μέτοικος by his Prostates, women and minors by their κύριοι or ἐπίτροποι, foreigners by a host, &c.

§ 13. *Public and Private Actions.*

265. Accusations were either public or private. Public accusations (γῥαφαί) were those in which it was set forth that the state had sustained injury either immediately or through offences committed against individuals. The line, however, between public and private wrongs does not seem to have been very strictly drawn; for in many instances the plaintiff was at liberty to prosecute either civilly or criminally; in cases of theft, for example, where the value of the property stolen exceeded fifty drachmæ, and in injuries to the person (either as a δίκη αἰτίας or γῥαφή ὑβρεως). Any ^{injury} duly qualified citizen might bring forward a public complaint, even although he were not the party injured; the fine imposed in such cases went to the state: but if the prosecutor let the affair drop, or failed to establish his charge by the vote of at least a fifth part of the judges, he was himself fined one thousand drachmæ, and rendered for ever incapable of appearing as prosecutor in a similar action. ^{manit}

§ 14. *Various Forms of Public Process.* ^{P₂}

266. The general term for a public prosecution is γῥαφή, in contradistinction to δίκη,⁴ a private complaint. It had, however, various names according to its different forms and objects. Thus, besides the γῥαφή

⁴ The word δίκη is, however, commonly employed to express all sorts of actions, civil as well as criminal. See *Dic'ty of Antiquities*, under this head.

(written information) properly so called, we have the *ἑνδειξις, ἀπαγωγή* and *ἐφήγησις*, by which the magistrate authorized summary proceedings without previous notice, and the arrest of the defendant after information received, unless three sureties were found for his appearance. We read also of the *φάσις, προβολή, εἰσαγγελία, ἀπογραφή*, and other forms.

omit

§ 15. *Public Prosecutions considered with reference to the subject of Complaint.*

action against a
quarrelsome

267. Under this head we may instance the following varieties of process. Before the Archon, *γραφῆ ἀγαμίον* and *ἐπιτροπῆς, κακώσεως* against parents, *Ἐπικληρί*, and minors; before the King, *ἀσέβειας, φόρου*; before the Polemarch, *ἀπροστασίον*, brought against a freedman for default of duty to the citizen to whom he owed his freedom; before the Thesmothetæ, *ὑβρεως* (the more serious injuries done to the person), *προδοσίας, καταλύσεως τοῦ δήμου*; before the Eleven, *κλοπῆς, λωποδυσίας*; and before the Stratēgi, *ἀστρατείας, λειποταξίον*.

all these are
summary
proceedings

collecting

action against a scholar for not wearing
of clothes.

§ 16. *Private Actions.*

268. Those actions were denominated private, which related strictly to private wrongs or disputes. Private complaints could only be brought forward by those who had sustained the injury, or who appeared for individuals who were not permitted to plead in person. In all such actions it was a rule that the mulct or damages awarded by the court should be paid to the plaintiff; and that, in the event of the proceedings being declared frivolous, the defendant should receive one-sixth part of the sum in dispute (*ἐπωβελία*) by way of indemnification for his loss of time and labour.

§ 17. *Private Actions considered with reference to the subject.*

269. The following are examples of private actions: before the Archon, complaints affecting family rights,

and the disputes of the Chorāgi; before the Thesmo-
damage thetæ, the δίκη βλάβης, and all sorts of complaints re-
 lating to the protection of property; and before the
 Forty, the δίκη αἰκίας *assault* and similar causes.

Legal Proceedings.

§ 18. Legal Proceedings.

270. The first step in public as well as private actions was a summons (κλήσις or πρόκλησις, = *in jus vocatio*) from the plaintiff (ὁ διώκων) to the defendant, calling on him to appear at some public place in presence of witnesses (κλητῆρες). It was only in particular cases that a *vadimonium*, or security for the appearance of the defendant (ὁ φεύγων), was required; nor was recourse had to the ἀπαγωγή (*i. e.* the accused was not taken at once before a court of justice) unless he were taken in the act. It was requisite that the accusation in writing (ἐγκλημα, λῆξις, in criminal prosecutions γραφή) should be laid, together with the declaration of the witnesses to the summons, before the presiding magistrate, who then examined whether the citation was in due form, or whether the party summoned had reasonable ground for taking an exception.

271. In private actions (with the exception of those that related to *injuries to the person*) both parties were required to deposit security (πρωτανεία, *sacramentum*), varying in amount according to the nature of the action. This deposit was always repaid to the successful party by the loser. In criminal proceedings we read of only a trifling παράστυσις, which was deposited by the prosecutor. We read also of other dues called the παρακαταβολή and the παράβολον.

§ 19. The same subject continued.—Preparatory Pleadings before the Magistrate.

272. The next step was the previous examination (ἀνάκρισις τῆς δίκης) by the magistrate, who settled the

issue to be tried, and received the depositions of the parties on oath (*ἀντωμοσία, διαωμοσία*). Then the proofs were collected and preserved (in an *ἐχῖνος*) in readiness for trial of the cause. Under this head were classed such extracts from the laws as were necessary for determining the legal points that were involved in the question (these were to be read out before the judges); all informations relating to the case, the depositions of witnesses, either present in court (*μαρτυρίαι*) or absent (*ἐκμαρτυρίαι*); the examinations of slaves belonging to either party (which was conducted by means of torture, *βάσανος*, and was considered very important), with various other papers. 273. This preliminary examination often occupied a considerable time, especially when there was an *ὑπωμοσία* (an application for delay founded upon an affidavit). There were, however, some sorts of private actions, which in later times must be decided within thirty days after the laying of the information (*δίκαι ἐμμηνοί*). During the *ἀνάκρισις* in private actions the proceedings might either be set aside by a compromise between the parties, or quashed by the magistrate, if one of the parties could fully sustain his allegation by means of witnesses.

§ 20. *Proceedings before the Court.*

274. On the day appointed for the trial (*ἡ κηρία*), the judges chosen by lot by the Thesmothetæ took their seats, and the parties were called into court. If the defendant were absent without reasonable cause, he was declared in default, and judgment entered against him (*ἐρήμην καταδικάζειν*). By the law each party was required to plead his own cause. They might, however, obtain the assistance of *συνήγοροι*, and often were furnished with written speeches by rhetoricians. In these addresses every device was tried for exciting compassion and working on the feelings of the judges. The time which they were allowed to occupy was in most trials measured by the Clepsydra (*λέγε ἐν τῇ ἐμῇ ὕδατι*, a phrase employed by the orators). During the

speech all the proofs were adduced and explained, the Clepsydra being meanwhile stopt; at the same time the witnesses were personally present. 275. The pleadings being ended, a verdict was given by means of pebbles (ψῆφοι), which were white or black, whole or pierced. If the votes were equal, it was considered a verdict of acquittal. Finally the sentence of the magistrates was published. If the action were ἀγὼν τιμητός^s (that is to say, a case in which a discretionary power was left with the judges, either because the law had provided no definite punishment, or because it permitted them to choose between two penalties, or to fix the amount of damages), a verdict of guilty having been returned (ἡ πρώτη ψήφος), the defendant was allowed to oppose his τίμησις to that of the prosecutor (τιμᾶσθαι and ἀντιτιμᾶσθαι), and the judges by a second vote (ἡ δευτέρα ψήφος) decided between them (τιμᾶν), or in some cases increased the penalty (προστιμᾶν). This was the form before the court of the Heliasts.

μικτ [The practice before the Diētētæ was somewhat different; still more so was that before the Forty, who acted also as magistrates.]

§ 21. *Form of process in Trials for Murder.*

276. The duty of prosecuting in cases of murder devolved on the nearest relations. As soon as the information was laid before the βασιλεὺς, the proceedings commenced with a προῳρήσις, that is, a proclamation that the accused should abstain from approaching all public and sacred spots, into which no murderer was permitted to enter. The king then instituted an ἀνάγκησις (cf. 273), in which it was settled whether the case should be tried before the Areopagites or before the Ephētæ (262) (subject to such exceptions to the court, as might afterwards occur). These investigations were continued for three months, one in each month, and in the fourth the matter came into court.

^s The opposite to this was ἀγὼν ἀτιμητός, or the trial of offences, of which the penalties were fixed by law.

§ 22. *The subject continued.*

277. The court of the Areopagites was held in the open air under the presidency of the Basileus. A solemn oath was administered to both parties together with their witnesses. The accuser and the accused were required each to address the court twice, in person, and without any attempt to work upon the feelings of the judges. After the first pleading (*μετὰ τὸν πρότερον λόγον*) the accused might go into exile without suffering any other penalty than the confiscation of his property. On the third day the members of the court voted. If the votes were equal, the prisoner was acquitted. The obligation to prosecute ceased, if the murdered man had before his death forgiven the murderer; the relations might also, at least in cases of unpremeditated homicide, themselves abandon the prosecution. The form of proceeding before the court of the Ephḗtæ is unknown to us, but probably differed very little from that which we have just described.

§ 23. *Judgment.—Means of enforcing penalties.*

278. In private actions various means might be employed for compelling the condemned party to submit to the sentence. If a penalty were imposed or damages awarded, the defendant, if he were *ὑπερήμερος* (did not observe the day of payment), might be distrained on, or sued in a *δίκη ἐξούλης*, the loss of which would subject him to a penalty equal to that for which he was cast in the original action. Foreigners might be compelled to give bail, or to remain in prison until they paid. In public actions, those who were sentenced to a fine became *ἄτιμοι*, as being debtors to the state, and were obliged to find sureties, in order to secure themselves from arrest. After the expiration of the term (the ninth Prytany), the penalty was doubled, and the state was at last permitted to indemnify itself out of the defaulter's property. Persons condemned to death or imprisonment were handed over to the Eleven (238).

Content of court.

§ 24. *Appeals.*

279. Appeals (ἔφεσις) were allowed only from the Diētētæ to the Heliasts. None was permitted from the decision of the Areopagites or the Ephētæ; still less could an appeal, properly so called, be made from the Heliasts, since the judges in this court, as representing the supreme power in the state, were ἀνυπεύθυνοι; but their judgment might be set aside (ἀνάδικος δίκη, παλινδικία), if any one could prove, either that he had not been summoned, or that his absence had been involuntary or without any culpable neglect; or lastly, in certain cases, if he could prove by a δίκη ψευδομαρτυριῶν, that the sentence was founded on false testimony.

§ 25. *Punishments.*

280. Punishments affected either the person or the property of the condemned (παθεῖν ἢ ἀποτίσαι). The first comprehended not only capital punishment and imprisonment, but also banishment and Atimia.

§ 26. *Atimia.*

281. Atimia did not in itself render the person on whom it was inflicted *infamous*; it was simply a partial or complete deprivation of political privileges. There were three varieties of Atimia. The first involved the loss of all political rights, and the confiscation of property; the second, the same without confiscation; the third, the loss of several peculiar privileges, such as the right of appearing before a court of justice to make a particular kind of public accusation. Sometimes it was used as a means of compelling state debtors to discharge their obligations, and, as such, was inherited by the children of the defaulter; at others it was inflicted as a punishment for certain offences, as theft, bribery, cowardice, desertion, false-witness, impiety, extravagance, injuries against magistrates, false or frivolous accusations in public affairs, &c. 282.

In certain cases Atimia might be inflicted without the intervention of a judicial sentence; and the exercise of any of the privileges which it suppressed might be severely punished, sometimes even with death. The punishment called Stêliteusis, or the erection of a pillar with the offender's name inscribed on it, differed from Atimia in its necessarily rendering infamous those on whom it was inflicted.

§ 27. *Other kinds of Punishment.*

283. Imprisonment was employed either as a means of compulsion against farmers of the revenue or other public debtors who were unable to find such security as was required, or to pay some fine that had been imposed. It was also sometimes employed for the purpose of securing the persons of accused and condemned offenders, but rarely as an independent punishment. Confiscation was added to other severe penalties as an aggravation; to banishment, for instance (not to the Ostracism), and to capital punishment for certain offences. It must be distinguished from the sale of a defaulter's property in order to indemnify the state.

284. When sentence of banishment was pronounced, a time was fixed within which the offender must quit the country, or be liable to suffer death at the hands of any one who chose to slay him. It was inflicted, in conjunction with confiscation, on those who attempted to commit murder; whilst unpremeditated homicide was punished merely with a year's imprisonment (*ἀνευλατρίσις*) without confiscation. Slavery was inflicted as a punishment on those whose names were surreptitiously inserted in the roll of citizens, and on Metœci who neglected to pay the alien-tax (*μετοίκιον*) or to procure a Prostâtes. 285. Capital punishment might in certain cases be inflicted by the injured party on the spot; for instance, on robbers detected in the act at night, and on adulterers. As a punishment for offences against the state, it was generally carried into execution by compelling the offender to drink of a poi-

soned cup (κώνειον), or by hurling him down a precipice. It was inflicted for treason or attempting to overthrow the democracy (κατάλλσις τοῦ δήμου), for treachery (προδοσία), as in the case of deserters (ἀντομολία), for denial of the state religion and disparagement of the mysteries, and for premeditated murder.

§ 28. *Falling off in the Administration of Justice.*

286. With the general decline of morals the administration of justice also degenerated. The eagerness with which men sought the office of judge, arose partly from the power which it gave them of humbling the rich, partly from the pecuniary advantages which had been attached to it ever since the time of Pericles (B. C. 440), and had been augmented by Cleon (B. C. 424). After a time the power of the multitude degenerated into a complete judicial despotism. Selfishness and avarice found a rich supply of food in the crowd of actions which the litigious spirit of the Athenians, and the disputes of the allies, were perpetually pouring into the courts; whilst an ample field was afforded for the practice of sycophancy, chicanery, and pettifogging. 287. The rich were condemned for the sake of penalties, which went into the public treasury, and thus promoted the interests of individuals. The judges were accessible to bribery; the sycophants laid their informations, partly for the purpose of extorting money from the rich, partly that they might find profitable employment for the people, whose levity, selfishness, and readiness to receive false accusations they turned to good account. As instances of this wretched administration of the laws, we may mention the trial of the Hermocopidæ (B. C. 422), and the condemnation of the generals who were arraigned after the battle of the Arginusian islands (B. C. 406).⁶

⁶ Consult Thirlwall's *Hist. of Greece*, vo. i. pp. 411 and 475.

B. Religion.

§ 29. *The Gods. Temples.*

288. The chief deity of Athens was Athēne the protectress of the city (*Ἀθηνᾶ πολιὰς, ἡ θεὸς*), whose temple stood on the Acropolis with the chapels of Erechtheus and Pandrōsus. Athene Sciras had a temple at Phalērum. They also worshipped Zeus (*πολιεύς, ἐρκεῖος, &c.*), Demeter and Persephōne (*τὰ θεῶ, ἡ μήτηρ καὶ ἡ κόρη*), Apollo, as the god of the Ionic race (*πατρῴος*), to whose sanctuary at Delos Theorīæ (sacred embassies) were sent; Artēmis (Brauronia, Munychia, Agrotēra), Dionysus, Hephæstus, Aphrodite, Hestia, Hermes, Poseidōn (Erichthonius), Nemēsis, the Eumenides (*σεμναὶ θεαί*), and others. Among the national heroes we find Erechtheus, Triptolemus, Cécrops with his daughters, Theseus, and in later times Codrus, Harmodius, and Aristogiton. 289. The expenses of religious worship were defrayed from the rents of estates belonging to the Temples, and a per-centage on fines. Much of the outlay was provided without cost to the state (see upon the *Λειτουργίαι*, 321). The Temples (*ναοί, ἱερά*) were numerous and elegant. They were generally surrounded by a colonnade, and stood in an enclosure separated from profane ground by an *ἔρκος* or *περίβολος*. In this enclosure was the altar (*βῶμος*). In the interior of the Temple (*σηκός*) was the statue of the god (*ἄγαλμα*), and the sanctuary (*ἄδυτον, μέγαρον, ἀνάκτορον*). The Temples were generally adorned with offerings (*ἀναθήματα*). Many of them (the temple of Theseus, for instance,) were *Asylums*, i. e. places of refuge for persons who had transgressed the laws (*ἄσυλα*). *α*

§ 30. *Festivals. The Panathenæa and Dionysia.*

290. A great number of festivals were celebrated at Athens. The most important were the Panathenæa, Dionysia, Thesmophoria, and Eleusinia.

1. The Panathenæa (*τὰ Παναθήναια*), held in honour

of Athēne, and in commemoration of the union of the people in one commonwealth, were two feasts, *μικρά* and *μεγάλα*. The first was celebrated annually, the other every five years (*πεντετηρίς*), in the month of Hecatombæôn. The chief solemnity at this festival was a grand procession (*πομπή*) to the Acropôlis, for the purpose of presenting a richly embroidered Peplos to Athēne. At this procession, in which all took part, the Metæci rendered their services as *σκιαδηφόροι*, *ἰδριαφόροι*, and *σκαφηφόροι*. There were also contests, at first gymnastic (probably from B. C. 556), and subsequently musical, which were succeeded by sacrifices. The prize was a jar of oil made from the fruit of the sacred olive-tree on the Acropôlis. In the evening there was a torch-race (*λαμπαδηφορία*, *λαμπαδηδρομία*).

2. The Dionysia (*τὰ Διονύσια*) were four festivals in honour of Dionysus. (a) The little or rural Dionysia in the month Poseidôn (*τὰ μικρὰ Διονύσια*, *τὰ κατ' ἀγρούς*). (b) The Lenæa (*τὰ Λήναια*), in the month Gameliôn. Each of these festivals lasted one day. (c) The Anthesteria (*τὰ Ἀνθιστήρια*) in the month Anthesteriôn, three days. (d) The great or city Dionysia (*τὰ μεγάλα*, *τὰ ἐν ἄστει*), which continued for four days, in the month Elapheboliôn. Theatrical representations were given at the great and little Dionysia, and the Lenæa. The Lenæa were under the superintendence of the Basileus, whose wife (*βασίλισσα*) offered certain sacrifices. The great Dionysia were conducted by the Archon. (On the Attic months, cf. 343.)

§31. *Thesmophoria. Eleusinia, Festivals continued, &c.*

291. 3. The Thesmophoria (*τὰ ῾Θεσμοφόρια*) were celebrated in the month Pyanepsiôn, probably for five days, in honour of Demêter, the goddess of harvest. They consisted principally of a procession of matrons to the temple of Demêter Thesmophôros in Ἀλιμῶς (an Attic *demus*), and their return to Athens.

4. The Eleusinia (*τὰ Ἐλευσίνια*) were two feasts, the lesser and the greater, also in honour of Demêter and

her daughter (κόρη). The lesser seived also as a preparation for those who were to be initiated (μύσται, μυῖσθαι), and was held yearly in the month Anthesteri^{Feb.}ōn at Agræ on the Ilissus. The greater Eleusinia seem also to have been celebrated once a year, during nine days in the month Boëdromiōn, with purifications, sacrifices, and processions to Eleusis (ἱακχος, ἱακχάζειν),^{Sept.} as preparatory to the Holy Spectacle (ἀντιοψία, ἐπόπται). The initiation was open to all Hellēnes. The priests (ἱεροφάνται) were taken from the Eumolpīdæ, who had also a certain jurisdiction in religious matters.

Besides these were a number of inferior festivals, such as the *Θαργήλια*, the *Προμήθεια*, the *Ἡφαίστεια*, the *Δήλια*, to which Theoriæ were sent, and many others.

§ 32. *Priests and Worship.*

R₂² E₂

292. Of the priesthoods, some were accessible to all whose fathers and grandfathers had been citizens, others were confined to certain sacerdotal families, the Eumolpīdæ and Ceryces for instance, who were employed in the service of the Eleusinian Demeter; and the Eteobutādæ in that of Athēne Polias. It was requisite that all priests should be of legitimate birth, without bodily defect, and of unblameable life and conversation. These particulars were ascertained by a Dokimasia. They were generally elected by lot, sometimes from a reduced number of candidates previously nominated. The time of their continuance in office varied. Their duties consisted in preparing such sacrifices as were either prescribed by usage, or enjoined by the oracle, or by the people; in taking care that the arrangements and interests of the Temple were observed by individuals who brought private offerings, and in calling in and taking charge of the Temple-revenues, of which they were required to render an account to the Logistæ and Euthyni. 293. The priests themselves received a share of the income, particularly of the sacrifices, but in all other respects they seem to have borne the usual burdens in common with their fellow-

citizens. Many religious solemnities were under the charge of the magistrates; for instance, the king was intrusted with the arrangement of the Eleusinian and Lenæan festivals, and the Archon with that of the Dionysia and Thargelia. The other officers employed in matters relating to public worship were the ἐπιμεληταὶ τῶν μυστηρίων, τῶν Διονυσίων, the ταμίαι τῶν ἱερῶν χρημάτων, the three ἐξηγηταί, who decided legal questions respecting the privileges of the priests, and interpreted prodigies and διοσημίαι, several sorts of ἱεροποιοί, who officiated at the sacrifices, the βοῶνται, elected by the people, and charged with the purchase of beasts for sacrifice, the ten Athlothes (ἀθλοθέται) or judges of the gymnastic and musical contests at the Panathenæa, with many others.

mysteries

§ 33. *Decline of Religion.*

294. Although the state watched over religion, and punished unbelief and blasphemy with great severity; and public worship, as wealth and the love of splendour increased, was embellished with the richest works of art; yet the belief in their traditionary deities was gradually undermined in the schools of the philosophers, and a sort of free-thinking spirit combined with superstition divested their splendid ceremonial of its religious significance, whilst it retained the mere outward form for the sake of its beauty and magnificence. Religious worship was thus degraded into a mere intellectual pastime, or means of amusement to the spectators of its works of art, its choruses and dramas, or at most a device for relieving the wants of the people⁷ or supplying them with sensual gratification from the magnitude and richness of its sacrifices.

⁷ From the donations of meat usual at sacrifices.

C. Military Affairs

§ 34. *Military service.*

295. By the constitution of Solon only the first three classes (177) were required to serve as soldiers, the rich on horseback, and the rest as heavy-armed infantry (ὀπλίται). These classes were selected for regular military service ἐκ καταλόγου. The Thetes ^{list} served only as light-armed soldiers, seamen or marines (ἐπιβάται). Similar duties were also generally performed by the Metæci. Slaves were never taken except in cases of extreme necessity. In later times we often find the Thetes and Metæci serving as Hoplites. 296. Citizens served from their eighteenth to their twentieth year as περίπολοι within the Attic territory. The regular period of service was from the twentieth to the sixtieth year, but the maximum age varied each time according to circumstances. By the levy, which was founded on the division into Phylæ, the soldiers were distributed into τάξεις and λόχοι. From the time of Pericles the soldiers received pay, varying in amount at different times. The usual wages of common soldiers were two obols daily, and the same sum for necessaries, when they were not furnished in kind; but they often received much more. 297. Officers received double; the cavalry three times as much as the Hoplites, and the commander-in-chief quadruple. As a general rule, the soldiers were required to forage for themselves, which was by no means difficult in the earlier times when war was carried on only during the summer months. In the more important campaigns, however, and expeditions (especially by sea), the state supplied all sorts of provisions; but wherever it was possible, the soldiers received money, and bought for themselves whatever the market afforded (ἀγορὰν παρέχειν).

§ 35. *Infantry. Cavalry.*

298. The Infantry was composed of heavy-armed soldiers or Hoplites, whose πανοπλία consisted of a hel-

met, coat of mail, large shield (ὄπλον), lance and sword; and light-armed (ψιλοί, γυμνοί). An intermediate corps were the *πελτασταί*, organized by Iphicrātes: their arms consisted of a javelin and light shield (πέλτη). From the time of Themistocles, Athens maintained a standing body of three hundred cavalry, which was afterwards increased to six hundred, then to one thousand, and at last, including the Hippotoxotæ, to twelve hundred men, who received each a *κατάστασις* for the purchase of his horse, which was also kept for him by the state. During the Peloponnesian war many mercenary light troops were employed, armed after a fashion unknown at Athens (for instance, Peltastæ from Thrace, and archers from Crete). At a later period mercenary troops were very commonly employed here as in other states.

§ 36. *Officers. Generals (στρατηγοί).*

299. The most important officers were the Strategî (στρατηγοί), who were ten in number, annually chosen by the votes of the people, subject to the especial condition that they should be lawfully married and possessors of landed property. In ancient times they all took the field, and commanded each a day in turn. Afterwards, when the original objects of their appointment began to be more and more forgotten, seldom more than two or three were sent out. In this case either one acted as commander-in-chief, or the command was divided equally among them all, or each was chief at his own station. Frequently, however, we find armies commanded by leaders who were not Strategî. 300. Together with the command of the forces the Strategî had also other important duties. Besides being charged with the management of all the taxes and civic services relating to war, they superintended the fitting out of the fleet and the levying of soldiers, and had jurisdiction in cases of military offences, such as *ἀστρατεία*, *δειλία*, *λειποτάξιον*.⁸ it was their business

⁸ This word occurs in the Gen. with *δίκη*

to provide for the security of the land, sea, and frontier. They had the power of calling the people together to decide on questions connected with war. The office was highly esteemed, especially after the Persian war, on account of the splendid talents of the men by whom it was filled, such as Miltiades, Themistocles, and Cimon.

§ 37. *Taxiarchs, Lochāgi, Hipparchs, Phylarchs, Peripolarchs.*

301. The Taxiarchs (ταξίαρχοι) were ten in number, chosen by the people by Chirotonia. Each of them commanded his own τάξις, and took part in the councils held by the Strategi (299). The smaller divisions of the army were commanded by Lochāgi (Λοχαγοί), and other inferior officers. The Peripōli (296) had their own περιπόλαρχοι. The cavalry were commanded by their own Hipparchs (ἵππαρχοι), of whom there were two chosen annually, and by ten Phylarchs (φύλαρχοι), subject in both instances to the control of the Stratēgi. In time of peace they conducted the exercises of the cavalry, took the lead in religious processions, and superintended the recruiting for the cavalry from those who were qualified by their census to serve in that corps.

§ 38. *Manner of making War.*

302. During the period of hostilities with Persia, the Greeks learnt to conduct their campaigns on a larger scale; and subsequently in their various foreign and domestic wars many sorts of fortifications were erected, and improvements introduced. Miltiades had already employed engines in the siege of Paros; but it was in the Persian war that the art of attacking fortified places made the most rapid advances, and at a later period obtained its highest degree of perfection under Demetrius Poliorcētes. 303. Several sorts of engines (μηχαναί) and works are mentioned by authors;

Such as the ^{καυμά.} ^{τοῦ} ^{πύργου} ^{χελώνη}, *testudo* (for the defence of the besiegers), *κοῖός*, *aries* (in Philip's time), *καταπέλται* and *λιθοβόλα* (machines for hurling stones and other missiles). The state took especial care to excite men to deeds of bravery by the hope of reward. The wounded were attended at the public expense, the dead celebrated in funeral orations (*λόγοι ἐπιτάφιοι*), and their children educated by the state. On the other hand cowards were punished with Atimia.

§ 39. *The Fleet.*

304. The Athenians were indebted for the nucleus of their fleet to Themistocles, at whose suggestion twenty triremes were built every year; the merit of augmenting it is due to Cimon and Pericles. At the battle of Salamis it consisted of two hundred large ships, and at a later period of nearly four hundred. Their ships of war (*πῆες μακραί*), which were managed by oars, especially in manœuvring, were generally triremes (*τριήρεις*). The crew (*πλήρωμα*) consisted of about two hundred men; viz. at least one hundred and seventy rowers (*καῦται* and *ἐρέται*; sixty-two on the upper bank, and fifty-four on each of the lower ones); and marines or sea-soldiers (*ἐπιβάται*) armed in a peculiar manner; besides archers on board some ships. 305. On board transports (*στρατιωτίδες*, *ὀπλιταγωγοί*), the proportions were of course different, the number of seamen being reduced as low as possible. At a later period (about B. C. 330), they began to employ larger ships, quadriremes and quinqueremes. Among the smaller vessels were Triaconters (*τριακόντοροι*), and Penteconters (*πεντήκοντοροι*), vessels with thirty and fifty oars. There were also ships of burden (*ὀκλύδες*), and small pinnaces or boats (*κλίητες*, *πλοῖα*). The rowers were generally taken from the poorest class of citizens and Metœci, and were sometimes even slaves.

§ 40. *Naval Officers—Equipment—Engagements.*

306. The legislation in naval affairs belonged of course to the people, but the general management was

in the hands of the βουλή. The chief command was vested in the Stratēgi (the admiral's ship was called ἡ στρατηγὶς ναῦς). To them, also, in conjunction with officers especially appointed to that duty (ἀποστολαῖς), was committed the superintendence of the equipment of the fleet. A single trireme was commanded by a Trierarch, who in ancient times received from the state merely her hull, but at a later period all her stores, standing and running rigging (σκεύη ξύλινα καὶ κρεμαστά), oars, rudder, masts, sails, cables, and anchors. 307. In the Attic harbours were several docks (νεώρια), sheds (νεώσοικοι), and storehouses (σκευοθήκαι). The superintendence of the stores was committed to ἐπιμεληταὶ τῶν νεωρίων, an office to which one person out of each Phyle was annually elected. They kept an account of every thing belonging to the equipment and rigging of the fleet, and had the Hegemony (right of presidency) in trials connected with their department. The most formidable weapon in naval engagements was the beak (ἔμβολον), with which they endeavoured to sink (καταδύειν) or disable the enemy's vessels. Their principal manœuvres were the διέκπλους, or breaking the line, and the περίπλους, or outflanking the enemy.

D. Finance.

§ 41. *Expenditure—Cost of Public Worship.*

308. One very considerable item of public expenditure was the outlay required for the celebration of public worship with its sacrifices, processions (πομπαι), theatrical exhibitions and games at the great feasts, such as the Panathenæa, Dionysia, Eleusinia, &c. It is true that these expenses were defrayed in part by private contributions and liturgies (322), but the liabilities incurred by the state were still very considerable. Another great expense was the sending of sacred embassies (θεωρίαι) to Delos, Delphi, and the great national games. For these Theoriæ two Triremes

(the Delian and the Paralian) were constantly kept in commission, their crews receiving four oboli per man daily. The state did not indeed charge itself with these disbursements, but still a sum was granted to the Trierarchs out of the public chest to meet their necessarily increased expenditure.

§ 42. *War: the Standing Army—the Navy.*

309. The expenses incurred by the Athenians in their frequent wars were necessarily very considerable, especially after the time of Pericles, when the troops received pay, although the citizens provided their own clothing and arms. One heavy item was the maintenance and education of the sons of those who fell in battle, who were also provided, as Ephēbi, with a *παιονλία*. Another regular expense was the *κατάστασις* (*æs equestre*) and *οἶτος* (*hordearium*) for each man who served in the cavalry. (On their number, see 298.) It was proposed by Themistocles that Athens should build annually twenty Triremes as men-of-war. Although this number was never exactly observed, yet it was required that *some* should be built every year, under the inspection of the Senate, to whom this duty was committed.

§ 43. *Public Buildings—Police—Public Rewards.*

310. Considerable sums were expended in the construction and maintenance of public buildings; such as fortifications, docks, arsenals, walls (of the city and harbours), water-courses, streets, gymnasia, courts of justice, theatres, temples, *Leschæ*, all sorts of works of art, &c. We may also reckon as items of expenditure the raising and maintaining the police force (*τοξόται*), which gradually reached the number of twelve hundred men, all slaves, who received pay from the state. To this may be added national rewards,* public entertain-

* These rewards were seldom pecuniary. They generally consisted in maintenance at the public expense, *Ateleia* (immunity from taxation)

ment in the Prytanæum, presents to foreign ambassadors, &c.

§ 44. *Payment for certain Public Duties.*

311. Many persons employed in the service of the state received payment, especially after the time of Pericles. Among these payments may be reckoned τὸ ἐκκλησιαστικόν or μισθὸς ἐκκλησιαστικός, wages for attendance in the public Assembly, at first one, afterwards three oboli; τὸ βουλευτικόν, the Senator's fee, one drachma a day; τὸ δικαστικόν, the judge's or juror's fee, a triobolus.¹ To prevent abuses it was provided by the law that no person should receive payment for the attendance at two places in one day. 312. The magistrates had no pay; but many other public functionaries received a remuneration for their trouble; for instance, the public advocates (σύνδικοι, συνήγοροι), the inspectors of gymnasia (σωφρονοῦνται), the Nomothetæ, the state physicians, and a whole host of secretaries, heralds, and other public officers. There were also, besides the Prytanæ, many functionaries who were boarded in the Prytanæum (σίτησις ἐν πρυτανείῳ), and many were ἀεῖσῆτοι (those to whom this public maintenance had been granted for life). Ambassadors received an allowance for travelling expenses (ἐφόδιον, πορεῖον).

§ 45. *Various Largesses (διανομαί, διαδόσεις).*

313. After the erection of the great stone theatre, the persons who contracted to keep it in repair (θεατρῶναι or θεατροπῶλοι) were accustomed to demand

generally, or exemption from certain liturgies and contributions), a golden chaplet (for the Buleutæ, for instance, and sometimes for individual statesmen, as in the case of Pericles, who was the first that received this honour), statues, as those erected in honour of Harmodius and Aristogiton, and subsequently of Conon. These statues were afterwards set up in great numbers. Demetrius Phalereus had three hundred and sixty in one year.

¹ The payment of this sum was perhaps of but short continuance; the regular juror's fee, both before and after it, being two oboli.

payment for entrance from each individual; but a regulation was proposed by Pericles that this expense (*τὸ θεωρικόν*), amounting to two oboli per head, should be defrayed out of the public exchequer. This rule was so far extended in later times, as to allow to each citizen a payment of two oboli daily for three successive days at all the great feasts (*ἱερομηνίαι*), whether there were any performance or not. This distribution, which was by no means restricted to the poorest classes, was supported out of the balance in the public exchequer, which strictly speaking ought to have been carried to the account of the war fund, and was at last applied by Demosthenes to its original use. 314. The managers of these Theorica seem latterly to have acquired considerable influence, through the popularity of the arrangement (320). Another sort of largess was the pension received by poor invalid soldiers (*ἀδύνατοι*). This regulation was afterwards extended to all impotent persons, who received one or two oboli daily. The distribution of these pensions was intrusted to the Senate; and all who applied for it were subjected to a strict examination. We have already mentioned that the children of those who fell in battle were maintained at the public expense. Lastly, in times of scarcity, corn was purchased by the government, and given or sold at a reduced price to the people.

§ 46. *Revenue* (*πόροι, προσοδοί*).

315. Until the growing power of Athens gave her a control over the wealth of foreign states, and her increased public expenditure called for regular or extraordinary contributions from her more substantial citizens, the public revenue was very inconsiderable. Afterwards it gradually increased, and is reckoned by Aristopnanes (*Vesp.* 660), at two thousand talents yearly, a calculation which will not appear enormous, if we remember that the tribute paid by the allies amounted alone to twelve hundred talents. Before the Peloponnesian war the state had collected a con-

siderable amount of treasure, which was all expended in that war. The public income was either ordinary or extraordinary, the former derived from the regular taxes, the latter from prize-money in time of war, or from the extraordinary contributions (voluntary or compulsory) of the citizens.

§ 47. *Ordinary Revenue from the Landed Property of the State, the Alien-Tax, and Duties.*

316. To the ordinary receipts belonged, (1) The income from the various landed property of the state, arable land, pasture, forest, salt-pits, mines (*μέταλλα*), especially the silver mines of Laurium. All these were public property, held by the occupiers subject to a ground rent, in addition to the price originally paid for the purchase. We may also place under this head, houses, and the Theatre. The Temples also had their glebes, the rent of which was expended in the service of religion. (2) Taxes or contributions from Metœci or foreigners, who exercised any profession or trade. The Alien-Tax (*τὸ μετοίκιον*) was twelve drachmæ yearly for a man, and six for a woman without sons. Even the slaves seem to have paid a tax. (3) Duties. The duty on imports or exports by sea was two per cent (*πεντηκοστή*), exclusive of a small payment for the use of the harbour and the public warehouses. The amount of duty on goods brought overland is not known. 317. The three sources of revenue (*τέλη*) just enumerated were farmed out; the larger contracts being taken by companies (*τελώναι*), over which *ἀρχῶναι* or *τελωνάρχαι* presided. The management of these contracts was intrusted to the Senate. The state endeavoured to guard itself against any loss from these farmers of the revenue, by requiring security and enacting stringent laws. Defaulters were visited, like other state debtors, with *Atimia*; at the expiration of the ninth Prytany the debt was doubled, and the amount levied on their property: they might be thrown into prison; and the law with regard to them was so

severe, that they were excepted, in common with persons guilty of high treason, from the benefit of the enactment which provided that no Attic citizen should be imprisoned, if he could find three persons of the same class with himself, who were willing to become his sureties.

§ 48. *Fines, Payments on Law-suits—Confiscations.*

318. Under the head of revenue derived from the courts of justice, we may especially reckon the *πενταρεῖα* and *παραστάσεις* already mentioned in our chapter on the administration of the laws (270, 271), fines (*τιμῆματα*) such as the thousand drachmas exacted from those who failed to obtain the votes of a fifth part of the judges (265), &c.; and, lastly, confiscation. These sources of revenue became considerable in later times, when all the disputes of the allies were decided at Athens.

§ 49. *Tribute-money of the Allies.*

319. Another more recent source of revenue, but the most productive of all, was the tribute paid by the allies (*φόροι, τέλη τῶν πόλεων*), which the Athenians, especially after B. C. 460, when the common treasury was transferred to Athens, looked upon as their own. Aristides fixed it at four hundred and sixty talents yearly; in the time of Pericles it amounted to six hundred, and at a later period under Alcibiades to more than two thousand. During the Peloponnesian war the form was changed from a direct impost to a harbour-duty, which the Athenians collected in the allied states, and which amounted to five per cent. on imports and exports. 320. The whole of this revenue was lost towards the end of the Peloponnesian war, but afterwards partially recovered. Originally the custody of this treasure was intrusted to ten Hellenotamiæ, chosen yearly; and it was unlawful to expend it, except against the barbarians; but latterly Athens employed it as she

thought fit. After the Anarchy (B. C. 404), we find in the place of the Hellenotamiae the ἐπιμεληταὶ τῶν θεωριῶν (313), whose office became so popular, that almost the whole administration of the finances was committed to them.

§ 50. *Ordinary Services of the Citizens (Λειτουργίαι ἐγκύκλιοι).*

321. The oppressive character of the Attic democracy manifested itself in the number of public burdens which it imposed on the wealthier members of the community. These services or Liturgies, which were established for the purpose of relieving the public exchequer at the expense of individual citizens, were either ordinary annual payments (ἐγκύκλιοι), or extraordinary contributions in time of war. The ordinary liturgies, all of which had reference to religious worship, were exacted according to a regular cycle from all the members of each Phyle, who possessed a property amounting to at least three talents. 322. They consisted of, (1) χορηγία, or the duty of providing the chorus at theatrical entertainments and festivals, and of seeing that they were duly trained and instructed, as well as furnished with every thing necessary for their performance (χορηγεῖν ἀνδράσι or ἀνδρικοῖς χοροῖς, ἀνληταῖς, τραγωδοῖς²). (2) Γυμνασιαρχία, which seems to have consisted in supplying all that was requisite for the celebration of certain festivals or sacred games. One branch of this service seems to have been the Lampadarchy, or superintendence of the torch-race on particular occasions (290, 1). The prizes, generally tripods, were laid up in the Temples of the gods, where they served to confer honour on the whole Phyle. (3) Ἀρχιερωγία, a duty performed by the chief members of the

² Theatrical representations were given in the city at the civic Dionysia and the Lenæa (290, 2), and in the country at the rural Dionysia. The poets applied to the magistrates for permission to exhibit their pieces (χορὸν αἰρεῖν), and those to whom it was granted were supplied with a chorus by the choregi, among whom they were appointed by lot.

sacred embassies sent to Delos and elsewhere at the celebration of the great national games. A part, however, of the expense of these embassies was borne by the state. (4) *Ἑστίασις*, or the entertaining the members of a Phyle (*φυλετικὰ δεῖπνα*).

§ 51. *Extraordinary Sources of Revenue.*

323. Extraordinary sources of revenue were the sale of booty taken in war, and the tribute imposed on conquered enemies. Sometimes, under peculiar circumstances, the public Assembly was called upon for voluntary contributions (*ἐπιδόσεις*) from citizens and Metœci; or a property tax (*εἰσφοραί*, *tributa*) was imposed on all persons, except the Thetes, payable in different proportions according to the amount of property. In this case it would seem that only the Pentacosio-medimni were rated to the full amount, the census (*τίμημα*) of the other classes being only an aliquot part of their property (*οὐσία*). 324. From B. C. 378 a new plan was introduced, by which only a portion of the property was rendered taxable. For example, the one hundred and twenty richest men in each Phyle were divided into two *συμμορίαι*. Out of each *Symmoria* were again selected the fifteen richest, who were charged with the extraordinary taxes, and in case of necessity with a forced loan to the state (*προεισφέρειν*). If any one objected to his own rating, as compared with that of a neighbour, he might claim an actual exchange of property (*ἀντιδοσις*), unless the other would consent to undertake the liturgies in his stead. Shares in the Cleruchiæ and mines were, however, not included in this valuation. In cases of public embarrassment we have instances of the government raising loans from the sacred treasuries, or from citizens, Metœci, or even the citizens of other states.

§ 52. *Extraordinary Liturgies—The Trierarchy.*

325. The most important extraordinary liturgy was the Trierarchy, or charge of equipping triremes for

war. In ancient times there were forty-eight, and after the time of Clisthenes fifty Naucrariæ, each of which furnished a ship and two cavalry soldiers. At a later period the Stratēgi chose the requisite number of Trierarchs from the wealthier citizens. These officers either themselves took the command of their ships, or provided substitutes. Until towards the end of the Peloponnesian war the hull and mast, with the pay and provisions of the crew, were furnished by the state: the stores, tackle, &c., being provided by the Trierarch, who was required to keep his vessel in seaworthy condition. Subsequently we find the stores also provided by the state. 326. If a Trierarch complained that his ship had sustained damage in a storm without any fault on his part, a Diadicasia was instituted, to determine whether the loss should fall on him or on the state. Instead of one Trierarch being charged with the equipment of a ship, the expense in later times was often divided between two, and not unfrequently persons compounded for their Trierarchies. Afterwards (from B. C. 357) the plan of Symmoriæ (324) was extended to the Trierarchy, the ships being divided among them, so that a number of persons, greater or less according to circumstances, were united for the equipment of a vessel (*συντελείς*). 327. This arrangement, however, being sometimes unfair as regarded the three hundred richest citizens, a law was afterwards passed in the time of Demosthenes, by which the possessor of ten talents was required to equip one trireme, and men of larger fortune a number (not exceeding three) in proportion to their means, the less wealthy citizens being still allowed to club together. The Trierarchy continued a year, at the expiration of which an account was rendered to the Logistæ. Trierarchies were sometimes undertaken voluntarily, or particular stores furnished, or triremes presented to the state by individuals.

§ 53. *General arrangements respecting ordinary and extraordinary Liturgies.*

328. Exemption from Liturgies was rare, except in the cases of Archons, orphans in a state of pupillage, and unmarried Epiclēri (245). No citizen was required to undertake two Liturgies in one year, or the same Liturgy two years in succession. Even the Metœci were liable to this burden, which, although it now and then presented a favourable opportunity for display to the vain and ambitious, was in most cases an intolerable annoyance.

§ 54. *Management of the Finances. Different officers for the collection, custody, and disbursement of the public funds.*

329. The chief control over the finances was exercised, as we have already mentioned, by the Senate; but the details of management were committed to certain officers. Those charged with the receipt of the public revenue were *πράκτορες* (number unknown), who collected fines; the ten *πωληταί* charged with the sale of confiscated property, and the farming out of the revenue, ten *ἀποδεκταί* (introduced by Clisthenes in the place of the old *κωλακρέται*³) who received the public income, kept memoranda and accounts, and decided disputes in matters connected with their office. 330. The moneys received were paid into the public Treasury in the Parthēnon, where they were committed to the care of the ten *ταμίαι τῆς θεοῦ*, who had also charge of the treasures belonging to the Temple. Latterly disbursements were made by a *ταμίης τῆς διοικήσεως*, or *τῶν κοινῶν προσόδων*, chosen by vote every four years. This officer had charge of the funds required for the current expenditure of the state, and paid such sums as were ordered to the magistrates and other functionaries,

³ In later times the office of the *κωλακρέται* appears to have been confined to the payment of the jurors' fees and the providing the public meals in the Prytaneum.

as well as all other extraordinary items disbursed by command of the people. He kept an account of receipts and disbursements, which was checked by a comptroller (*ἀντιγραφεὺς τῆς διοικήσεως*), appointed for that purpose. 331. The *ταμίαις* acted as overseer of all collectors, and of the public mines, to which duties special officers were also appointed, such as *ὁδοποιοί*, *τεγοποιοί*, *τριηροποιοί*, *ἐπιμεληταὶ τῶν νεωρίων*, &c. Besides the public treasure there were several separate funds set apart for the purpose of religious worship; and various Temple-revenues arising both from the consecrated land (or glebe) and various augmentations from a per-centage on confiscations and fines. From B. C. 420 all these funds were kept together in the Acropolis under the care of ten *ταμίαι τῶν θεῶν*, who were chosen by lot from the *Pentacosimedimni*.

§ 55. Money (*νόμισμα*).

332. The supply of the nobler metals, which was small at first, increased by degrees, the prices of all commodities rising in proportion. The Attic silver coinage, although gradually debased, was still purer than that of most other states, and in consequence was always highly valued in all commercial transactions. The most common silver coins were the Drachma (*δραχμή*), which was the hundredth part of a Mina (*μνᾶ*) or Attic pound, and the Tetradrachmon (*τετράδραχμον*) called also a *στατήρ*. The Didrachmon (*διδραχμον*) was more rare. Sixty Minæ made a Talent. It must be observed however that the Talent and Mina were imaginary coins. 333. A Drachma contained six Oboli (*ὀβολοί*) or two Triobola (*τριώβολα*); an Obol two Hemibolia (*ἡμιόβολια*). The copper coins were *χαλκοί*, of which eight made an Obol; *λεπτά*, each of which was the seventh part of a Chalcus, and *Δ'χάλκον* (*δύχάλκον*), or the fourth part of an Obol.⁴ Their gold coins were Staters (*στατήρες χρυσοί*) equal in weight to

⁴ There were also silver coins of the same value.

two Drachmæ, but in value to twenty.⁵ The Daric (*δαρυικός*) which was frequently employed in Grecian trade, had the same weight and value as the Stater. There were also *ἡμίχρηστοι*, worth ten Drachmæ. Not only the state, but individual Demi, had the right of coining money.⁶

PRIVATE LIFE.

§ 1. *General remarks.*

334. In all the relations of private life we find a marked difference between the Spartans and the Athenians. In the former state, domestic life was little more than a name, the conduct of every citizen being regulated by ancient unchangeable customs sanctioned by the state. Athens, on the contrary, was the home of liberty; and with the exception of the liabilities necessary to the existence of the state, which were not unalterable, but capable of modification, each citizen was free to live as he pleased.

§ 2. *Trades.*

335. The most important sources of profit were agriculture, rearing of cattle, and commerce. The soil of Attica, although by no means remarkable for its fertility, was diligently cultivated. Its chief products were olives, figs, wine of indifferent quality; with marble, silver, and lead from the mineral kingdom. The mountain districts were favourable to the breeding of cattle, the coasts to fishing. The land did not produce

⁵ The proportion of gold to silver was, therefore, as 1 : 10. It afterwards rose gradually to 1 : 15.

⁶ We often read of the Æginetan standard of weights and coinage, which bore a proportion of 5 : 3 to the Attic standard of Solon. One Æginetan talent = 10,000 Att. drachmæ. The Eubotic talent, which seems to have been originally equivalent to the old or ante-Solonic Attic, was latterly used only as a weight, and bore a proportion to that of Solon of 25 : 18.

sufficient corn for the consumption of the inhabitants; a considerable quantity was therefore imported every year from Pontus, Egypt, Syria, Sicily, and Libya. Many laws were enacted with the view of insuring a sufficient supply. Their other imports were wood, various materials for ship-building, iron and copper from Pontus, Macedonia, Thrace, and several of the islands, the more generous wines from the islands, &c. The exports consisted of manufactured goods, such as arms and other hardware, all sorts of fine lamps, furniture, and vases, clothes and woven articles. Oil also was exported.

§ 3. *Same subject continued.*

336. The trade of Attica was greatly promoted by the number of excellent harbours, the superiority of her coinage, and the wisdom of her commercial laws and commercial police. Exportation was not permitted unconditionally. Grain and several other articles could not be sent out of Attica at all, nor could weapons be exported to an enemy's country. Wars were often occasioned by commercial restrictions or prohibitions; and sometimes it was found necessary to obtain a supply of indispensable articles, especially corn, by compulsory means. For instance, the buying up of corn was restricted, and the dealers placed under rigid surveillance. 337. Handicraftsmen, and small tradesmen (*κράπηλοι*), in ancient times were not very highly esteemed, nor were those trades ever exercised by members of the more distinguished families; yet we find artizans like Cleon and Hyperbölus raising themselves to power through the democratic constitution of the government. Solon and afterwards Themistocles and Pericles, especially favored manufacturing industry. All trades were open both to citizens and Metæci.

§ 4. *Weights and Measures.*

338. The Hellenes seem originally to have derived their scale of weights and measures from the Babylo-

nians and Egyptians through the Phœnicians. Of those in use among the Athenians, the most important were the Olympic foot (πούς), which was divided into four παλαισταί or spans, or sixteen δάκτυλοι, twelve Dactyli made a σπιθαμή. The πῆχυς, Cubit or Ell, was equal to $1\frac{1}{2}$ feet, six Palæstæ, or twenty-four Dactyli; the πυγών to five Palæstæ, or twenty Dactyli. The ὀργυια or Fathom was six feet; the πλῆθρον, one hundred feet. (It was also a superficial measure of ten thousand square feet.) The στάδιον contained six hundred Greek, or six hundred and twenty-five Roman feet. After the Olympic games had become a general Grecian festival, the stadion was generally used as a measure of length for the greater distances.

§ 5. Same subject continued.

339. The measures for liquids were

μετρητής	=	$\frac{3}{4}$ μέδιμνος
χοῦς (congius)	=	$\frac{1}{12}$ Metrêtes
ξέστης (sextarius)	=	$\frac{1}{6}$ Chus.
κοτύλη (hemina)	=	$\frac{1}{2}$ Xestes.
τέταρτον	=	$\frac{1}{2}$ Cotyle.
ὀξύβαφον	=	$\frac{1}{2}$ Tetarton.
κύαθος	=	$\frac{2}{3}$ Oxybâphon.

340. The measures for dry goods were

μέδιμνος.	
ἑκτεὺς	= $\frac{1}{6}$ Medimnus.
ἡμiekτον	= $\frac{1}{2}$ Hekteus.
χοῖνιξ	= $\frac{1}{4}$ Hemiekton
ξέστης	= $\frac{1}{6}$ Chœnix.
κοτύλη	= $\frac{1}{2}$ Xestes.
κύαθος	= $\frac{1}{6}$ Cotyle.

§ 6. Division of Time.

341. The Attic year was lunar, like that of all the Hellenic states. The number of days in each month was alternately twenty-nine and thirty (μῆνες κοῖλοι καὶ

πλήρεις). But as the lunar year, which contained three hundred and fifty-four days, did not correspond with the solar year, an intercalary month (μὴν ἐμβόλιμος or ἐμβολιμαῖος) was added from time to time. Afterwards fixed rules were established for the intercalation, when the months began to be arranged according to cycles. At first there was a cycle of two years (τριετηρίς), afterwards of eight (ὀκτοετηρίς), and lastly of sixteen (ἑκαταετηρίς). 342. The first calendar was published by Meton (B. C. 432), who invented a period of nineteen years or six thousand nine hundred and forty days (ἑννεακαίδεκαετηρίς, Μέτωνος ἐνιαυτός), which continued for a long time to be the general mode of computing time. By this method seven months were intercalated in nineteen years; namely, in the third, fifth, eighth, eleventh, thirteenth, sixteenth, and nineteenth year. With regard to the number of days in each month he made the following arrangement. As his cycle of nineteen years would give in two hundred and thirty-five months of thirty days, seven thousand and fifty days, that is, one hundred and ten too many, he left out every sixty-third day (ἡμέρα ἐξαίρεσιμος), the effect of which was that the Attic months, which had previously been fixed (κοῖλοι or πλήρεις), were now changeable. Many changes, however, were afterwards introduced, especially by Callippus.

§ 7. *Same subject continued.*

343. The names of the Attic months were

Ἑκατομβαιῶν	}	Summer months. (<i>Hecatom- bæon</i> , nearly = our <i>July</i> .)
Μεταγειτινῶν		
Βοηδρομιῶν		
Πνανέσιων	}	Autumn months.
Μαυρίακτηριῶν		
Ποσειδεῶν		
Γαμηλιῶν	}	Winter months.
Ἀνθεστηριῶν		
Ἐλαφηβολιῶν		
Μουνυχιῶν	}	Spring months
Θαργηλιῶν		
Σκироφοριῶν		

344. In the intercalary year, after the month Poseideōn a second Poseideōn of twenty-nine or thirty days was introduced. Each Attic month was divided into three decades. The first day of the month was called *νεομηνία*. The following days of the first decade were reckoned in their order with the addition of the word *ισταμένυν* or *ἀρχομένυν* (*μηνός*). In the same way the days of the second decade had the addition of *ἐπὶ δέκα* or *μυσοῦντος*, and those of the third, *ἐπὶ εἰκάδι*. It was however more usual to reckon the days of the last decade backwards, with the addition *φθίνοντος* or *πανομένου*, e. g. *δευτέρα φθίνοντος*, the last day but one of the month (*pridie calendas*), or the twenty-ninth of a *μῆν κοῖλος*, or twenty-eighth of a *μῆν πλήρης*. The thirtieth or last day of the month was styled *ἐν καὶ νέα* ("old and new"). The Attic civil year began in the month Hecatombæon, which corresponded nearly to our July.

§ 8. *Physical and moral Training of Boys* (τροφή καὶ παιδεία).

345. Education was for the most part left to the discretion of individuals, the state interfering very little with the discipline of youth. It depended in fact on the caprice of their parents whether they should be brought up or exposed. The father gave his sons in general a name, which in most instances, especially in the case of the firstborn, was that of the grandfather.⁷ The education of the children in the poorer class consisted merely in learning the first elements, with some art or handicraft, which their parents were bound to teach them. A liberal education comprehended music (in the wider acceptation of the term), and gymnastics, the former for the cultivation of the mind, the latter for giving health, strength and comeliness (*εὐεξία*) to the body. 346. The special superintendence of the chil-

⁷ As the Greeks bore only one name, it was usual to distinguish them by adding that of the father (*πατρὸς ὀνομάζειν*). The official designation was derived from the *demos*, e. g. Ἀντιφῶν ὁ Κηφισεύς, Νικόστρατος ὁ Θεοσδορίδου, Δημοσθένης Δημοσθένους Παιανιεύς.

dren was committed to a slave (*παιδαγωγός*), by whom they were always accompanied until they were admitted among the Ephēbi. Instruction in grammar began at seven years old, and was given by a grammarian, who taught the children (*γράμματα διδάσκειν*) the first elements (reading, writing, and arithmetic), together with recitation, learning by heart, and writing from dictation. For these exercises they generally used the writings of poets, such as Homer, Hesiod, Theognis, &c.

§ 9. *Same subject continued.*

347. About their thirteenth year, the boys were sent to a Citharistes, who taught them as much music and singing as was thought necessary for a gentleman. In gymnastics they received the instruction of the *παιδοτρίβαι* in the Gymnasia, whither they were sent, not so much for the purpose of qualifying them to become Athletes, as of giving them strength, pliability, and gracefulness. Education was superintended by the Areopagus. For this purpose, at least in later times, three *σωφροισταί*, paid by the state, were stationed in the Gymnasia. Slaves were not allowed to take part in the exercises. There were several regulations for the maintenance of discipline and morality, which, however, were gradually relaxed, as the character of the people degenerated.

§ 10. *Same subject continued.*

348. Their instruction in music and grammar continued until their eighteenth year, the two last years being chiefly spent in the Gymnasia, after which the youths were sent out to their two years' service as *peripōli* (296). As civilization increased, the circle of education in both branches became wider. In the gymnastic school many began to learn Hoplomachy, dancing, and riding; whilst music was followed by geometry, drawing, and at a later period by rhetoric, sophistry, and philosophy, which were often taught by

celebrated professors on extravagant terms. 349. The advance of education was aided especially by that taste for the fine arts which had been awakened even in the days of the Pisistratidæ, and had been more widely developing itself since the time of Pericles, by the constant sight of the many plastic or dramatic works of art connected principally with public worship, and by the varied influence of their restless political life. Hence the Athenians were distinguished for politeness and a taste for the beautiful, as well as for an anxious yearning after knowledge, which they sought to gratify by lively discussion and instructive conversation. Sometimes, however, this propensity degenerated into a love of trifling gossip (*ἀδολεσχία*).

§ 11. *Female Education.*

350. The education of girls was conducted at home under the eye of their mother, and aimed rather at making them good housewives than accomplished women. They generally led a very retired life, seldom appearing in public, except at religious festivals. It has been a subject of dispute, whether they visited the theatres or not, but at all events in the olden time they were only permitted to be present at tragedies.* They generally married very early; and it was considered unbecoming for them to trouble themselves about state affairs, and matters which more properly belonged to men. They were subject to the inspection of the *γυναικονόμοι*, an office undoubtedly of modern creation. The free intercourse between the sexes enjoyed in our days, and the influence which it exercises over the whole life and character, both of males and females, were in great measure unknown to the Athenians.

§ 12. *Meals.*

351. Among entertainments of a public character we have already mentioned the *σῖταις ἐν πρυτανείῳ* and

* See Smith's *Dict'y of Antiquities*, article *Theatrum*, where the same view is advocated.

the *ἑστιάσεις*, or feasting of the Phyle (*φυλετικὰ δείπνα*). Their social meals were the *ἑρανοί*, or pic-nics, to which each contributed his proportion either in money or provisions (*συμβολαί*). The usual daily meals were *ἀκράτισμα*, breakfast, *ἄριστον*, dinner (or *luncheon*, at noon), and *δείπνον*, supper (or rather *dinner*, as being the principal meal of the day). For many ages the entertainments of the Athenians were exceedingly simple; but the luxury which began to reign in the time of Pericles (B. C. 440), extended itself to their tables, which were furnished with the most exquisite delicacies of the continent and islands. 352. Many ineffectual attempts were made to restrain this tide of extravagance by legislative enactments; such as prohibiting the use of unmixed wine or the invitation of more than thirty guests to a banquet, and making drunkenness in an Archon a capital offence. The entertainment, at which the guests reclined on couches (*κλῖναι*) with cushions (*στρώματα*) consisted of several courses (*δείπνον προοίμιον, κεφαλὴ δείπνον, ἐπιδόρησιμα* or *μεταδόρησιμα, δεύτεραι τράπεζαι, τραγήματα* sweetmeats and fruit). Symposia or wine-parties usually followed the *δείπνον*, but were considered *distinct* parties. 353. The best wine was brought from the islands of Chios and Lesbos, and was generally drunk mixed with water, warm or cold (*κρατήρ*). The entertainer, or whoever did the honours at table and presided over the drinking, was termed *συμποσίαρχος*. The guests were anointed and wore garlands at the Symposia. Besides conversation, they were amused with jokes of Parasites (*γελωτοποιοί*), music, songs (*σκόλια*), and dancing. After supper they had draughts (*πεττεία*) and dice (*κυβεία*), but the favourite game of all was the *κότταβος*.* The women of the family took no part in these entertainments.

* The Cottabus was a social game introduced from Sicily into Greece. The simplest way of playing it was this: one of the company threw out of a goblet a certain quantity of pure wine, at a certain distance, into a metal basin, endeavouring to perform this exploit in such a manner as not to spill any of the wine. While he was doing this he either thought of or pronounced the name of his mistress, and from the more or less full

§ 13. *Dress.*

354. In their dress as well as their diet great changes were gradually introduced. The old Ionic costume with its long flowing Chiton, generally of linen (*χιτῶνες λινοῖ*), and the carefully frizzled hair with its golden cicādæ (*χρυσοῖ τέττιγες*), were displaced by the shorter Doric Chiton of wool, and a more simple head-dress. A chiton with an opening in the sleeve for the left arm, worn principally by slaves and the labouring class, was called *ἔξωμῖς*. The surtout (*ιμάτιον*) consisted of one large square piece; a coarser winter cloak was called *χλαῖνα*, a thinner, *χλανίς*. 355. The Ephebi had a particular sort of surtout (*χλαμύς*). Generally speaking the men wore nothing on their heads, except on a journey (*κυνῆ, πῖλος, πέτασος*, the last for Ephebi). On their feet they wore either soles or sandals, generally of leather (*ὑποδήματα*), or shoes which covered the whole foot, with several intermediate varieties (*σανδάλια, κρηπίς, ἱμβάς, βλαῦται, ἐνδρομίδες*). The women's garments (of linen, wool, and *βύσσος*, afterwards of silk, *βόμβυξ*), were long and flowing, confined by a girdle round the waist, and in this respect distinguished from the more free and light Doric costume. In later times luxury prevailed to a great extent in both sexes.

§ 14. *Houses.*

356. The Athenian men generally lived in public. Most of their time was passed in the Agora (*πλήθουσα ἀγορά* the forenoon), or in visiting the Gymnasia and public shops or booths of the hairdressers, dealers in perfumes, &c., which were all places of general resort. A consequence of this sort of life was, that little attention was bestowed on domestic architecture; afterwards, however, as the interest in public life declined,

and pure sound with which the wine struck against the metal basin, the lover drew his conclusions respecting the attachment of the object of his love. For the other and more complicated forms of the game, see *Dict'y of Antiquities*, article *Cottabus*.

men began to build more roomy and handsome private houses, which they filled with expensive furniture (ἐπιπλά, σκεύη). Of the character and arrangement of their houses, we know very little.¹ Most of those occupied by single families (οἰκίαι) had no second story (ὑπερῶον). The court in front of the house was called πρόθρον: in the interior was an open space (περίστυλον) surrounded by pillars. 357. The apartments of the men (ἀνδρωνῆτες) and women (γυναικωνῆτες) were separated by a door (μίσανλος), the former being probably in the front of the house, the latter at the back, or in the ὑπερῶον, where there was one.² The company or eating-room was called ἀνδρῶν, the bed-chambers θάλαμοι. In the superior houses there were chambers set apart for guests (ξεῖνες). Those who wished to enter from the street were obliged to knock for admission (κρούειν, κόπτειν—the rapping at the door by those who went out was called ψοφεῖν).³ Athens was by no means handsomely built. The streets were narrow, and the houses insignificant. Their number (including the Piræus and Munychia) amounted to about ten thousand. They were either οἰκίαι for a single family, or συνοικίαι, lodging-houses, in which several families lived together.

§ 15. Funerals.

358. The interment of the dead and conservation of their graves was a sacred duty inculcated by the law, especially on the sons of the deceased. The burial of a corpse in a proper manner was called τὰ δίκαια, τὰ νόμιμα. Those who found dead bodies were required at least to cover them with earth. From the time of Clisthenes the duty of burying them was imposed on

¹ For an interesting and full account of Grecian houses, see *Dict'y of Antiquities*, article *House*.

² A double house, in the Greek sense, was one which had an upper story that exactly corresponded, in the arrangement of its rooms, &c., with the lower story. Cf. *Lys. in Sim.*

³ The object of this was to give notice to the passers by, for the doors opened outwards.

the Demarchs. The funeral duties were strictly defined. The corpse was washed, anointed, clothed, crowned with a chaplet, and then laid out in the vestibule on a κλίνη (προτίθεσθαι). A vessel of water (ἀρδάνιον) was placed in front of the house. Over the bier they uttered loud lamentations, the violent outbreak of which was restricted, it is said, by Solon. The procession was headed by a band of musicians (θρηνηδοί), who were followed by a train of men and women in mourning, the nearest relations with their hair shaven. 359. Both burning (καίω) and interment (κατορύνειν) were usual (θάπτειν is the *general* term for *burying*). When the corpse was burnt, the ashes were collected into an urn. The funeral was succeeded by a solemn meal (περίδειπνον), and afterwards by sacrifices for the dead. The funeral rites of those who fell in defence of their country were celebrated with especial magnificence. There were several burial-grounds near the city; such as the outer Ceramicus. The stone monuments (μνήματα, σήματα) were often very expensive. A general festival in honour of the dead was celebrated by the state in the month Anthesteriôn. (cf. 343.)

POINTS OF UNION FOR THE WHOLE OF GREECE.

A. Festivals and Games.

§ 1. Local Festivals. *The great National Festivals*

360. The lively and sociable character of the Greeks occasioned many social meetings, which acquired importance from their close connexion with religious festivals, and with the public gymnastic exercises, which played an important part in Grecian education, as promoting the development of strength and adroitness, and laying the foundation of military bravery, besides exhibiting models of manly beauty.⁴ In

⁴ We have a proof of the interest taken by the Hellenes in these exercises in the number of παλαίστραι, γυμνάσια, στάδια, δρόμοι, ἱππόδρομοι, &c

many parts of Greece we find periodical festivals of this description,⁶ to which the rest of the Greeks were admitted. Four of these gradually raised themselves from the rank of local to that of national solemnities, viz., the games at Olympia in Elis, at Delphi in Phocis, at Nemæa in Argolis, and on the Isthmus of Corinth. 361. These festivals, at which all persons not Greeks,⁶ and all slaves were excluded from contending, would naturally arouse and sustain the feeling of national unity and mutual dependence, which was also promoted by the great fairs which accompanied the *παιγνύσεις*. A later festival, that bore a national character, was the Eleutherian feast at Plateæ, established at the suggestion of Aristides to commemorate the victory of the Greeks over the Persians. This solemnity was celebrated every five years, and continued to be observed for a long time, although not very highly esteemed.

§ 2. *The Olympic Games (ἀγὼν Ὀλύμπια).*

362. The Olympic games were traced back by the ancients to the mythic times, generally to the days of Hercules. They are not, however, mentioned by Homer, a circumstance which would seem to indicate that in his time they were at all events not very splendid. At a later period they seem to have been revived and arranged, three hundred years after the fall of Troy, by the Elean prince Iphitus, in conjunction with the Lacedæmonian legislator Lycurgus.⁷ A list was kept of the victors in an unbroken series from B. C. 776.⁸ On this was afterwards founded the reckoning of time by Olympiads. The games were held in honour of Zeus,

⁶ Even in Homer's poetry we find notices of gymnastic contests and horse races. Il. xi. 699; xxiii. 257. Od. viii. 120. The prizes (ἀεθλα, Att. ἀθλα) were goblets, cauldrons, tripods, arms, talents of silver, iron, female slaves, horses, mules, and oxen.

⁷ We find, however, that Macedonians and Romans, as masters of Greece, were allowed to contend at the Olympic games.

⁸ See Thirlwall's *Hist. of Greece*, vol. i. p. 153.

⁹ Corcebas of Elis, victor in the *πρώτιον*, B. C. 776.

every five years (*πενταετηριοί*) during five days in the Attic month Hecatombæôn (343), in the grove Altis, in Elis on the river Alphæus. 363. The Eleans, who were managers of the games, appointed the time, and proclaimed the truce (*ἐκεχειρία* and *σπονδαί*) prescribed by the law during the continuance of the games (*ιερχ-μηνία*), and the inviolability of those who were present at the festival or on their way to join it. Originally the Eleans themselves were considered (or rather claimed to be considered) inviolable at all times. The judges (*ἐλλανοδίκαί*), whose number is uncertain, were appointed beforehand by the Elean *νομοφύλακες*. An appeal lay from their sentence to the Olympic council. These Hellanoδῖκα⁹ declared the time within which the combatants were required to announce themselves at Elis, and ascertained whether they were Hellenes and freeborn, whether they had ever suffered Atimia or been guilty of *ἀσέβεια*, and whether their age qualified them to be entered as *παῖδες* or as *ἄνδρες*. 364. They also administered an oath to the combatants, that they would act honourably, arranged the details of the combats, investigated any charge which might be brought against the men by those who came forward for that purpose on the public invitation of the heralds, paired the combatants by lot, and took care that the laws of the combat should be strictly observed. The functionaries who kept order during the games were called *ἀλύται*, and were subject to an *ἀντάρχης*. The Olympic games were suppressed in the reign of the Emperor Theodosius (A. D. 394.)

§ 3. *The Pythian Games.*

365. According to the legend, Apollo was the founder of these games, but it was only after B. C. 582 that they became *ἀγῶνες στεφανίται*. Originally they were celebrated once in nine years, but afterwards, when they were placed under the protection of the

⁹ This name was also given to certain Spartan military judges.

Amphictyons (B. C. 590, or according to some authorities 586) every fifth year in the third year of the Olympiad. The place where they were held was the Crisæan plain near Delphi.

§ 4. *The Nemæan Games.*¹

366. The institution of these games is ascribed by tradition to the seven chiefs who marched against Thebes, or to Hercules. They were celebrated four times in two Olympiads, in a valley near Nemæa, in Argolis, between Cleōnæ and Phlius.

§ 5. *The Isthmian Games.*

367. These games were founded, according to the legend, by Sisyphus in commemoration of the sea-god Melicertes, and revived by Theseus in honour of Poseidōn; for which reason the Athenians always occupied the place of honour (προεδρία) at these games. They were held every third year on the isthmus of Corinth.²

§ 6. *Character of the Contests.*

368. The contests were partly ἀγῶνες γυμνικοί and ἵππικοί—partly μουσικοί (μουσικῆς). The gymnastic and hippic are best known to us through the Olympic games, where they gradually assumed the form which we are about to describe. These gymnastic and hippic contests consisted partly of athletic sports, partly of horse and chariot races. The athletic sports were, (1) Running (δρόμος), either once through the Stadion (one hundred and twenty-five paces—six hundred Greek feet), or to the end and back again (διάνυλος introduced B. C. 724), or twice to the end and back

¹ The town is Nemæa, the adjective Nemæan.—Νεμία, Nemæa; Νεμεαῖος and Νέμειος. Nemæus, and Nemeæus; but Livy has Nemæa, orum for the Nemean Games, according to Freund.

² We find in the other Grecian states smaller games, called Ὀλύμπια and Ἰσθμια. There were also in particular spots Νέμεια and Ἰσθμια.

(ἐφίππιος δρόμος), or a longer course, the extent of which is variously given (δολιχος). The race was performed either by runners in armour (ὀπλιτοδρόμοι), or unarmed and naked (ψιλοί, γυμνοί³). (2) Wrestling (πάλη, introduced B. C. 708). (3) Boxing (πυγμή—B. C. 688), in which the hands were bound round with thongs (ιμάντες) loaded with lumps of lead (*cestus*). (4) Throwing the quoit (δίσκος), a heavy plate of iron or stone. (5) Leaping (ἄλμα) with heavy weights of lead (ἀλτήρες) in the hands. (6) Throwing the spear (ἄκων). 369. A union of the boxing and wrestling matches was called παγκράτιον (introduced B. C. 648). The “five games” (πένταθλον, added B. C. 708) comprehended ἄλμα, δίσκος (δισκοβολία), ἄκων (ἀκόντιον), δρόμος, πάλη. Anciently there were two ages (παῖδες⁴ and ἄνδρες) for combatants in gymnastic games. The number was afterwards increased to three. Horse-races, which were held in the ἵπποδρόμος, were either riding (on the ἵππος κελής, introduced B. C. 648) or driving a pair (συνωρίς) or four horses (τέθριππον), which was the most splendid of all the sports. The horses were either young (πῶλοι) or “aged” (τέλειοι). An ἄρμα⁵ τέλειον (added B. C. 680) was required to go twelve times round the course. 370. The honour of victory was conferred, not on the riders or charioteers, but on the proprietors of the horses or charioteers, who were sometimes absent, and even now and then females. The musical games consisted originally entirely of music, viz., playing on the κίθαρα and on the αὐλός—and singing to the Cithara (κιθαραφδία) and flute (αὐλωφδία). At a later period we find dramas introduced (ἀγῶνες Διονυσιακοί), as well as various exhibitions and recitations (ἐπιδείξεις). There were also exhibitions of pictures. The judges of the musical contests were styled κριταί, those of the gymnastic and hippic sports, βραβενταί.

³ Latterly the Athletes at the Olympic games were all naked—a practice introduced, as far as related to the δρόμος, as early as B. C. 720.

⁴ Ἀρμός and πάλη, for boys seem to have been added in B. C. 632—πένταθλον, in 628—πυγμή, in B. C. 616.

⁵ The word ἀπήνη is used to express a racing chariot drawn by mules

§ 7. *Rewards of the Victors.*

371. The Olympic⁶ and Nemean games were for the most part gymnastic and hippic, the Pythian and Isthmian comprised also musical contests. The Pythian were originally citharædic contests, but afterwards, when the management of them was in the hands of the Amphictyons, gymnastic and hippic sports were added, and the musical exhibition increased by the addition of the αὐλός and αὐλοφδία, which however was afterwards discontinued. The solemnities connected with these sports, of which we know little except from the Olympic games, consisted principally of sacrifices, processions (πομπαί) and similar religious ceremonies, in which ambassadors deputed by the states (θεωροί) took part. The conquerors (ιερονίκαι, ὀλυμπιονίκαι, πυθιονίκαι, &c. [ῖ]), were publicly proclaimed, crowned with the chaplet of victory, and presented to the people with palm-branches in their hands.

372. The Olympic crown of victory was of wild olive (κότινος) from the grove Aktis, the Pythian of laurel, the Nemean of ivy, and the Isthmian of the leaves of the pine. Victory, at the Olympic games (Ὀλύμπια νικᾶν) especially, was rewarded with distinguished honours. Feasts were given to the conqueror, not only immediately after the victory, in Olympia, but also on his return to his native country (ἐπιwinία). The year was named after the victors, who were honoured with statues and laudatory hymns. The states in which they were born, and which shared their glory, granted them important distinctions and privileges for the remainder of their lives, such as προεδρία, or the place of honour at the public games, and ἀτέλεια or immunity from public burdens. In Athens a part of

⁶ Nero was the first who established an Agon in tragedy and citharædic music, but we find at an earlier period contests of Ceryces and Salpistæ (σαλπιστής, later form of σαλπιγκτής). The recitations which took place, were not a part of the solemnity; but poets, historians, and rhetoricians availed themselves of that opportunity to read their compositions before a large assembly.

their reward was entertainment in the Prytanæum. In Sparta they had the right of standing next to the king on the field of battle.

§ 8. *The Olympiads, and the computation of time founded on them.*

373. Each Grecian state had, generally speaking, its own mode of reckoning time, as well as its own weights, measures, and coinage. In public documents the year was in most cases named after one of the chief officers of state; e. g. at Athens after the first of the nine annual Archons (him who was especially designated *ὁ ἀρχων*); at Sparta, after the first of the yearly Ephors, and in the same manner elsewhere. As the beginning of the year was different in different states, and the months, although all lunar, were not only differently named, but varied also on account of a diversity in the mode of intercalation, a method was devised by the legislators for a general system of chronological reckoning by the adoption of the list of Olympic victors, whose names were inscribed on pillars with great accuracy under the inspection of the Hellanodīcæ, and subsequently arranged in regular lists. 374. Even Thucydides (born B. C. 471), *sometimes* indicates the dates of events by referring to contemporary victors in the Pancration (not like later writers, in the Stadion); but Timæus (born B. C. 356), whose works are lost, seems to have been the first who *regularly* employed the Olympic list as a chronicle; the oldest extant historian, however, whose writings contain such an arrangement of events, is Polybius (born B. C. 205). This mode of reckoning time was never used in commercial transactions or in the affairs of private life.

§ 9. *Mode of reducing the Olympic reckoning to that of the Christian era.*

375. The Olympic games were held every fifth year at the full moon nearest the summer solstice.

The beginning of the Olympic year may therefore be fixed on or about the first of July. In order to find the year of the Christian era which corresponds to a given Olympic year we must proceed thus:—

376. A) For an event that happened between July 1 and Dec. 31 (inclusive).

- a) Subtract *one* from the Olympiad.
- b) Multiply the remainder by four.
- c) Add to the product the year of the current Olympiad.
- d) (1) If the sum is *less* than 776, subtract it from 777.
- (2) If it is *greater* than 776, subtract 776 from it

Example.

In what year B. C. did the battle of Plataea happen, which took place in the Attic month Boëdromiōn, in the *second* year of the 75th Olympiad?

- a) $75 - 1 = 74$
- b) $74 \times 4 = 296$
- c) $296 + 2 = 298$
- d) $777 - 298 = 479$

Answer. The battle of Plataea happened 479 B. C.

377. B) For an event that happened between January 1 and June 30 (inclusive).

Take steps a) b) c) d) as in A; but e) (1) *subtract one* from the remainder so found, if the sum in c is less than 776; (2) *add one to it*, if it is *greater* than 776 (i. e. *subtract one* for a year B. C.: *add one* for a year A. D.).

Example 1.

The date of the building of Rome (according to the *era Varronianæ*) is Ol. 6, 3, on the spring festival *Parilia*. In what year B. C. was Rome built?

- a) $6-1=5$
- b) $5 \times 4=20$
- c) $20+3=23$
- d) $777-23=754$
- e) $754-1=753$.

Answer. The date of the building of Rome (according to the *æra Varroniana*) is the spring of B. C. 753.

Example 2.

Reduce Ol. 224, 1, to the reckoning B. C. or A. D.

- a) $224-1=223$
- b) $223 \times 4=892$
- c) $892+1=893$
- d) $893-776=117$ (if the event happened between July 1 and December 31.)
- e) $117+1=118$ (if the event happened between January 1 and July 30.)

B. Oracles, especially the Oracle of Delphi.

§ 10. *Oracles in general—the Oracle of Dodona.*

378. It was an extremely ancient belief in Greece, that the gods, even after they had ceased to manifest themselves to men in a visible form, were still accustomed to reveal their will in various ways. The power of understanding such revelations generally resided in individuals, such as Calchas in the *Iliad*; or in families—as the Iamidæ, Clytiadæ, and Telliadæ; or in particular places, which were supposed to be favoured by the immediate presence of the divinity. Thus at a very early period mention is made of an oracle at Dodona (Δωδώνη) in Thesprotia, where a Pelasgian race, the Σελλοί or perhaps Έλλοί were settled. 379. The Pelasgic Zeus (of whom these Selli are termed the ministers, ὑποφῆται, Homer *Il.* xvi. 233), was believed

to make his revelations here by means of the rustling of a sacred oak (δρὺς ὑψίκωμος, Od. xiv. 328; φηγὸς παλαιά—Soph. Trach. 169), and by the ringing of a brazen caldron (λέβης, Δωδωναῖον χαλκεῖον). The oracular response was interpreted by old women (πελειάδες) or priests (τομοῦροι). The reputation of this oracle declined at an early period, especially as that of Delphi became more renowned; we hear, however, of priestesses at Dodona long after its decline.

§ 11. *The Oracle of Apollo at Delphi.*

380. The most renowned oracle of Greece, which was often consulted not only by the Grecian, but by foreign states, was the Delphic, which derives its name from the city of Delphi, anciently called Πυθώ (Il. ii. 519), in the district of Phocis, near Parnassus. Its origin is involved in fabulous obscurity. It owed its celebrity principally to the circumstance, that the Hellenes, particularly the Dorians, who in early times dwelt in its neighbourhood, and traced their origin from Apollo, afterwards spread themselves over the whole of Greece, and diffused a belief in the sanctity of their god and of his oracle. 381. It soon became the universal oracle of all Greece, acquired great wealth (Il. ix. 404), partly through the offerings of those who consulted it (Cræsus), partly from the tithe of spoils taken in war, and was placed under the protection of the Amphictyons.⁷ According to a Grecian notion, which we first find mentioned in Pindar, the oracle of Delphi was the centre or *navel* of the earth (ὀμφαλὸς τῆς γῆς), a circumstance noticed also in the inscriptions on Delphic coins. 382. The highest degree of respect was paid to this oracle by the Dorians, especially the Spartans; and as the most important ancient institutions of Sparta, such as the divided sovereignty of the Heraclidæ and the legislation of Lycurgus, were attributed to the counsel of Apollo, the Lacedæmonians in after times never undertook any affair of importance

⁷ The *possession* of it belonged to the free town of Delphi.

without applying to the oracle, for which purpose there were magistrates, named Pythii, chosen by the Kings. But even at Athens and in other states the oracle had great influence on legislation and morals ; and on the preservation of civil order. Although it was of little avail in putting a stop to wars among the Greeks themselves, it contributed to raise their courage in the Persian wars, and we find from Herodotus, that in his days it was still regarded by the people with a full belief in its divine authority.

§ 12. *Decline of the Delphic Oracle.*

383. From the time of the Peloponnesian war, the oracle laboured under the suspicion of unduly favouring the Spartans ; and with the decay of ancient piety and traditional belief in the existence of the gods, it sank more and more into disrepute, especially as its own character had declined, till it at last became a mere stipendiary of Philip of Macedon (*Πυθία φιλιππίζουσα*). From that time not only its great estimation but its treasures gradually melted away. It was however consulted so late as the fourth century of the Christian era by the Emperor Julian.

§ 13. *Its arrangements.*

384. At a very early period there seems to have been a Temple at Delphi, which was burnt down in B. C. 548, and rebuilt on a large and more magnificent scale. In the sanctuary of the Temple was a hole, over which there stood a tripod (*τρίπους χρηστήριος*) ; in this was an opening (*ὄλμος*), on which the priestess (*Πυθία*), after the performance of some preparatory ceremonies, seated herself to receive the inspiration of the god. The response was given to the inquirer by a minister of the oracle (*προφήτης*), generally in verse, but sometimes in prose. Its meaning was often obscure and ambiguous (*Ἀπόλλων λοξίας*). 385. At first the oracles were delivered only in one particular

month; but latterly, when the number of inquirers increased, a portion of every month was set apart for that purpose. The servants of the oracle were; ὄσιοι, the sacrificing priests, chosen out of the five Delphic priestly families; προφῆται, the ministers or interpreters of the oracle; and an inferior order called the περιηγηταί, who conducted strangers round the temple. There were also female attendants (πρόσπολοι γυναῖκες).

§ 14. *Other Oracles.*

386. There were several other oracles, such as the oracle of Apollo at Delos, at Patāra in Lycia, at Claros near Colōphon, at Didyme near Milētus (superintended by the Branchidæ), at Abæ in Phocis, the cave of Trophonius near Lebadæa in Bœotia, the oracle of Zeus at Olympia, the temple of Amphiaraus at Orōpus in Bœotia, and many others. The responses were received after a variety of preparatory ceremonies and in different manners; in some places the temple of Amphiaraus for instance, by lying down to sleep in the temple (ἐγκοίμησις). As foreigners sometimes consulted the oracles of Greece, so we find that the Greeks themselves had recourse to foreign oracles, for example, to that of Jupiter Ammon.*

POINTS OF UNION FOR PARTICULAR PARTS OF GREECE.

A. League of the Amphictyons.

§ 1. *Amphictyonix in general.*

387. A common worship and participation in the same religious ceremonies created at an early period a friendly

* Other modes of obtaining counsel and information respecting future events were through the written oracular sentences of the soothsayers or prophetic minstrels (χρησμολόγοι, χρησμοδοί), who must be distinguished from the priests of the oracles (προφῆται, ὑποφῆται), such as Bacis and Mœneus; inspection of sacrifices (ιεροσκοπία), the flight and song of birds, appearances in the heavens (δισσημεῖα), such as lightning, and eclipses of the sun and moon, dreams, &c

relation between neighbouring nations, even without reference to any affinity of race ; and on this were founded the leagues known as ἀμφικτυονίαι (properly ἀμφικτυονίαι), or unions of neighbouring states who frequented the same sanctuary. Such leagues were not, like the Symmachiae, intended for mutual defence against enemies, nor did they, like the local unions, meet to discuss the common interests of the people ; not unfrequently, however, they inculcated the observance of such humane enactments as were founded on justice. We hear of several such Amphictyoniae ; but very little is known respecting the history and origin of most of them.

§ 2. *The Amphictyoniae at Thermopylae and Delphi
Their extent, object, and history.*

388. The most renowned among these leagues was that which assembled at Thermopylae, and at the Temple of the Pythian Apollo. By the extension of its original numbers this society obtained a great name throughout almost the whole of Greece (although it never assumed the character of a general Hellenic council), and acquired a certain degree of political importance, which it long retained. The origin of this league, which was styled pre-eminently "the Amphictyonic," is lost in mythical obscurity. The ancients derived the name from Amphictyon, the son of Deucalion, brother of Hellen, who must undoubtedly be considered merely as a mythical representative of the league. 389. The members of this league formed twelve clans,* all of which, in ancient times, resided in or near Thessaly, and down to the Macedonian period retained in name the same privileges, although, in fact, some of the members, as the Dorians, Ionians, and Thessalians, entirely obscured or crushed their neighbours. The objects of the league were the pro-

* Thessalians, Boeotians, Dorians, Ionians, Perrhaebians, Magnesians, Locrians, Ceteans, or Cenians, Phthiotic Achaeans, Malians or Melians, Phocians, and Dolopians.

nulcation of certain precepts of civilization and humanity, for the guidance of the neighbouring people in their intercourse with one another, the protection of the temple at Delphi, and latterly (from B. C. 586) the superintendence of the Pythian games. It was not, however, intended either for defence against foreign enemies, or for interference in the internal affairs of the states of which it was composed; consequently we find that the Amphictyonic council was inoperative in the Peloponnesian war and other quarrels of the Grecian states with one another.

§ 3. *Same subject continued.*

390. On the other hand, its efficiency was shown in the so-called holy wars against violators of the Temple (against Cirrha, between the years B. C. 600 and 590; against Phocis, 355—346; against Amphissa, 340—339, and against the Ætolians, 280). In these wars, however, the more powerful members of the confederacy often employed it as an instrument for carrying out their own plans, as for instance, in the case of Philip of Macedon, who was admitted into the league in the room of the Dorians and Phocians, who nevertheless were afterwards restored. The Amphictyonia still survived, even when Greece was subjected to the Romans, and continued to exist in the time of the emperors, in a modified form given to it by Augustus.

§ 4. *Internal regulations of the Amphictyonic League.*

391. The sanctuaries of the Amphictyons were, the Temple of the Pythian Apollo at Delphi, and the Temple of the Amphictyonic Demeter at Anthëla near Thermopylæ. Each year there were two Amphictyonic meetings at Delphi and Thermopylæ alternately. The number of votes was twenty-four, two for each of the twelve clans; but in what manner these were apportioned among the states which belonged to the more important tribes, such as the Ionians and Dorians, is

not very clear. The deputies were styled *ιερομνήμονες* and *πυλαγόραι* (probably there were a Hieromnemon and several Pylagoræ for each state), whose duties and relation to each other are not very distinctly understood.¹ Besides the council there was also a general *ἐκκλησία*, or meeting in which all the citizens of the confederate states who happened to be present took a part.

B. Leagues between the Inhabitants of the same District.

§ 5. *Of such Leagues in general.*

392. Among the various small independent states belonging to the same district, we often hear of a sort of confederation originally established in honour of the common god of their race, but afterwards extending its operations to the discussion of their common interests, the arrangement of disputes with one another, and the passing of resolutions respecting foreign wars. But even here the tendency of the Greeks to independence and self-reliance manifested itself in their want of unanimity, or in the endeavours of individual states to obtain the superiority over their confederates. We find, for example, such confederations among the Phocians and Thessalians, who, although divided into independent states with an aristocratic form of government, chose on certain occasions a commander-in-chief or dictator (*ταγός*).² 393. Among the Arcadians, also, we find (B. C. 369) a confederation formed against Sparta, the members of which afterwards united in a league with the Achæans, Ætolians, or Spartans. Among the Ionic and Doric states on the coast of Asia Minor, there existed a sort of league, which however was of a

¹ The Hieromnemones formed a separate council (*συμβούλιον*).

² After the Peloponnesian war we find tyrants, and (B. C. 376) Thessaly united under the tyrant Jason of Pheræ. Afterwards their country was subject to the Macedonians.

very loose character, and did not last long. As long as the superiority of Athens and Lacedæmon was so decided, none of these unions had much political weight; but as those states gradually became weaker and weaker through internal decay and their contests with one another, we find some of the confederations assuming a greater degree of importance.

§ 6. *League of the Bœotians.*

394. In Bœotia, which was divided into several independent states, there existed a confederation³ (τὸ κοινὸν τῶν Βοιωτῶν) or religious union (παμβοιωτία) at Coronæa. The presidents of the league, who were styled *βοιωτάρχαι*, held their office for a year, but might be continued for a longer time, or re-elected. It was their duty to give notice of the four general meetings of the council. At the head of the confederation were the Thebans: the states composing it were originally oligarchical, but had latterly suffered grievously from intestine contentions between oligarchical and democratical parties, in which Athens and Sparta occasionally bore a part. 395. The Thebans, especially after the Persian war, treated the other states very arbitrarily;⁴ and from the weakness of Athens and Sparta, even played for a short time an important part in the affairs of Greece, under Pelopidas (who restored the democratic constitution B. C. 379), and Epaminondas. But after the death of these statesmen (Pelopidas † B. C. 364, Epaminondas † B. C. 362), they again relapsed into weakness, and were obliged to apply to Philip of Macedon for help against the Phocians. He however soon became their enemy, and after the battle of Chæronæa (B. C. 338), deprived them for ever of

Previously to the Persian war, the Platæans had formed an alliance with Athens, and this league continued until the beginning of the Peloponnesian war, in which Platæa was destroyed by the Thebans, and subsequently restored after the peace of Antalcidas (B. C. 387).

⁴ At the peace of Antalcidas (B. C. 387) Thebes was compelled to renounce her authority over the other states, but this humiliation did not last long; for after the year 379 she regained her ascendancy.

their power. The league, nevertheless, continued to exist for many years.

§ 7. *The Achæan League.*

396. The twelve cities of the Achæans, which on account of their situation remained for a long time unaffected by the political convulsions of Greece, had formed from the oldest times a quiet and uniform league, which lasted until the Macedonian period, when it was dissolved. During, however, the disputes of the Macedonians with each other, it was revived by some of the cities (about B. C. 280); many others afterwards joining them for the sake of mutual protection and resistance to tyrants, especially to the domination of the Macedonians. Under Aratus († B. C. 213), and particularly under Philopœmen († B. C. 183), this league became for a short time extremely powerful; but eventually suffered severely from disputes among its members, and weakened itself in struggles with the Ætoli-ans and Spartans. 397. Thus the way was prepared, first for the Macedonians, and afterwards for the Romans, the latter of whom were for a long time on friendly terms with the Achæans, but afterwards treated them haughtily; and after their victory over Perseus, sent more than one thousand of the most distinguished members of the league to Rome, where they remained from B. C. 167 to 150. A fresh war with the Romans ended after the taking of Corinth (B. C. 146) in the entire subjugation of Achæa, which became a Roman province.

§ 8. *Constitution of the Achæan League.*

398. Twice in the year the citizens of the allied states held their ordinary meetings for the discussion of important matters affecting the league, such as the voting of war, peace, or alliances, the admission of new members, the settlement of disputes with one another, and the adoption of new laws for the regulation of the

union. These meetings were generally held in the grove of Zeus Homagyrios, Arnarion near Œgion. Their principal officers were, a στρατηγός,⁵ an ἵππαρχος, and a γραμματεὺς, who continued a year in office. We read also of ten δαμονργοί. Each city was independent, and enjoyed equal rights with the rest; the maintenance of their democratic constitution was, however, as invariably their object, as the establishment of a tyranny was that of the Macedonians.

§ 9. *The Ætolian League.*

399. In Ætolia, which on account of its situation continued to be independent, there existed a provincial confederation, of which express mention is first made during the wars of Greece under the successors of Alexander, when the rough and warlike Ætolians appeared on the stage as the most dangerous enemies of the Macedonians, and drew several other states into the league. At a later period they formed an alliance with the Romans against Philip of Macedon, the son of Demetrius; but the favour shown by Rome to the Achæans excited the jealousy of the Ætolians, and led them to call in Antiochus of Syria, whose defeat (B. C. 189) placed them under the Roman yoke. The Ætolian league nevertheless continued to subsist for many years longer.

§ 10. *Constitution of the Ætolian League.*

400. All the allied states were independent and equal; but questions relating to war, peace, and the affairs of the league were decided at a general meeting. These meetings were either the greater, held every year near the Temple of Apollo at Thermos, or the lesser which sat permanently and was composed of individual delegates (ἀποκλητοί). The highest officer of the league was a Stratēgos. We find mention also made of a Hipparch and a Grammateus. The constitution in all essential particulars was democratical.

⁵ Afterwards two Strategi.

C. Symmachia and Hegemonia

§ 1. *History of the Hegemonia.—Sparta.*

401. In addition to the local confederations just described, we find leagues between several districts and states for the purpose of mutual defence (*συμμαχία*), in which one leading state exercised a legal recognized supremacy (*ἡγεμονία*). Thus most of the Peloponnesian states (with the exception of Argos and some of the smaller districts) formed, long before the Persian war, a confederation for mutual counsel respecting their common interests and for the decision of questions relating to peace and war. At the head of this league was Sparta, which conducted the war, appointed commanders, and settled the contingents of troops and money. In the war against Xerxes a confederation was formed between most of the Grecian states, of which Sparta, with consent of the Peloponnesians, assumed the command. The place of meeting for the deputies at the beginning of the Persian war was the Isthmus. After the battle of Mycale the colonies of Asia Minor were also comprised in this league.

§ 2. *Sparta and Athens.*

402. Sparta was, however, soon compelled to cede the *Hegemonia* by sea (B. C. 477) to Athens, whose naval force was more considerable, and who had moreover a powerful support in her Asiatic colonies; and at a later period Athens created also a Hegemonia in opposition to that of Sparta, so that whilst the latter still remained at the head of the Peloponnesian league, Athens by degrees drew to her side a union of the Ionians in the islands, the colonies on the coasts of Asia Minor, Thrace, and Macedonia, and some of the Grecian states. But she exercised her power very capriciously, and at last went so far as to treat the allies as her vassals (*υπήκοοι*), instead of free and independent states (*αὐτόνομοι*). 403. At first they were

merely required to furnish ships and a moderate contingent in money (*φόροι*, originally fixed by Aristides at 460 talents), which was kept at Delos under the superintendence of Attic officers (*ἐλληνοταμίαι*); but when the allies themselves inadvertently proposed that instead of doing military service they should pay a sum of money, the power of Athens was greatly increased, and she compelled them for the most part to pay tribute (*φόρον ὑποταλαίς*) at her own discretion. The treasury was removed from Delos to Athens B. C. 461. Under Pericles and Alcibiades the tribute was increased; and Athens interfered in various ways in the government of the allied states, requiring them to adopt democratic forms, and even claiming jurisdiction in affairs of importance, and sending her emissaries to watch their proceedings.

§ 3. *Sparta, Athens, Thebes, Macedonia.*

404. The discontent caused by these usurpations led the other states to attach themselves to Sparta, and hence arose the Peloponnesian war (B. C. 431—404); but when Sparta herself after her victory also abused her hegemonic authority, and endeavoured every where to introduce the hated oligarchical form of government, then Athens by degrees again raised herself to power, especially after Conon's victory off Cnidus (B. C. 394): and even the peace of Antalcidas (B. C. 387), in which the Persian king himself acted as umpire, and pronounced all the states in Greece and the islands free and independent, effected no essential change in her power, which especially increased after the year B. C. 371. 405. The justness and mildness, however, which Athens had exercised at the beginning for the sake of consolidating her newly regained power, did not last long, and her Hegemonia was for the most part lost through fresh abuses (the war of the confederate states B. C. 357—355). The feebleness of Athens and Sparta placed Thebes for a short time (B. C. 371 Leuctra—B. C. 362 Mantinea) in a position to claim hegemonical

authority. Philip of Macedon availed himself of these disputes and the decline of the states, and after the victory of Chæronæa assumed the Hegemonia, which soon became a Macedonian tyranny, and was feebly resisted by the Greeks, until the power of Rome at last swallowed up both the contending parties.

Colonial Relations.

§ 1. *History of Colonization.*

406. The establishment of Grecian colonies (ἀποικισμοί) may be traced back to the expedition of the Heraclidæ and its concomitant events. Penthilus, the son of Orestes, is said to have led colonies from Bœotia to Lesbos, Tenedos, and some of the smaller islands (Æolian, Achæan) on the coasts of Mysia. South of these, on the coast of Lydia, in northern Caria and some islands of the Ægean sea, settlements were founded by the Ionians, who had taken refuge in Attica, after they were driven from the north coast of Peloponnesus by the Achæans, and thence had gone out under the sons of Cadmus to seek new abodes.

407. In conjunction with people from various other tribes they colonized a great part of the Cyclades, and founded on the coasts of Asia Minor and the neighbouring islands independent states, which, although loosely connected by a sort of league (Παρώνια), were often involved in hostilities with each other, but raised themselves by their skill and commercial industry to an important position. From all of them, especially from Milêtus, were sent out a crowd of minor colonies, especially around the coasts of the Pontus Euxinus and the Propontis. Lastly followed colonies of the Dorians from Megæra and Argolis, which settled themselves further south on the coasts of Caria and the neighbouring islands, where they also established a sort of league (the Temple of the Triopian Apollo).

§ 2. *Same subject continued.*

408. Magna Græcia was also colonized at an early period by Greek (especially by Achæan and Dorian) settlers. From Eubœa, especially Chalcis, were sent several Ionian colonies to the coasts of Italy (of these the most ancient was *Cumæ*), and to Sicily, and also to the coasts of Thrace and Macedonia (Chalcidice). We find Doric settlements in Sicily; as Syracuse (a Corinthian colony founded probably B. C. 734), Gela (about B. C. 689), and Agrigentum: on the shores of the Ionian sea, as Corcȳra (a Corinthian colony); and on the coast of Thrace, as Byzantium (a Megarian one). We find also the coasts of the Mediterranean, from the mouth of the Rhone (Massilia, founded by Phocæans from the coast of Asia Minor about B. C. 600), to the extremity of the Euxine, not only on the European and Asiatic, but also on the African side (Cyrène, founded by Dorians from Thera B. C. 631, according to Eusebius), occupied by Grecian colonies, which settled on advantageous spots, and speedily rose into importance, diffusing every where the Greek language and Greek civilization.

§ 3. *Causes of Colonization.*

409. The establishment of most of the Grecian colonies was the effect of those movements, which were consequent on the great immigration of the Dorians, or, in some instances, the result of later wars. Colonization in the Grecian states was a government measure adopted for the purpose of establishing advantageous emporia for trade, or in order to get rid of the superfluous population (especially in oligarchical states) as an outlet for political discontent.

§ 4. *Mode of sending out Colonies.—Their relation to the Mother Country.*

410. The colonies which owed their establishment to a decree of the government at home, were sent out after the oracle had been duly consulted. At the head

of the expedition was placed one or more chosen *οἰκισταί*. Generally the colonists took with them fire kindled in the Prytanæum of the mother state, and in most instances closely copied her religious institutions. At certain periods religious embassies (*θεωρίαι*) were sent to the great festivals of the mother country. A particular *cultus* was frequently introduced for the *Oikistæ*. The colonies bore the same emblems on their coins, and showed especial honour and respect to the representatives of the mother state at their own public solemnities. One instance of this filial regard for the country from which they derived their common origin, may be found in the practice peculiar to the otherwise independent Grecian colonies, of assisting, or at least of not waging war against each other.

§ 5. *Political Constitution of the Colonies.*

411. The laws and constitution of the colonies were generally a copy of those at home, but in a political as well as a scientific view, alterations were often made in the colonies, which sometimes re-acted on the mother country. The establishment of most of the colonies happened during the period of the aristocracy, and aristocratic institutions were in consequence the most ancient, generally speaking; but their rapid rise, their trade and civilization, soon awakened the spirit of republicanism. 412. Here also we find various political struggles, a violent democracy with its usual result, the tyranny of an individual; and in some places the form of a timocracy, as for instance the government of the thousand richest men among the citizens in some of the Italian colonies. Political disputes often occasioned the passing of wholesome laws, like those of Zaleucus among the Epizephyrian Locri, or of Charondas in Catana, about the middle of the seventh century. In one portion of Magna Græcia the doctrines of Pythagoras (who arrived in Italy B. C. 530?, and died in 500) occasioned political revolutions, aristocratical forms being introduced, which were suppressed by the people within a few years (B. C. 504).

§ 6. *Appendix concerning the Cleruchiae.*

413. We must distinguish between colonization and the *κληρουχία*,^o or partition by lot, of a country obtained by conquest or otherwise among certain citizens; the new settlers having their own magistrates, but retaining all their rights as citizens, and being still subject to the laws of their country. The conquered inhabitants, if not expelled, were either admitted to the enjoyment of political rights, or reduced to the condition of slaves, a mode of proceeding which was also very common in countries colonized by the Greeks.

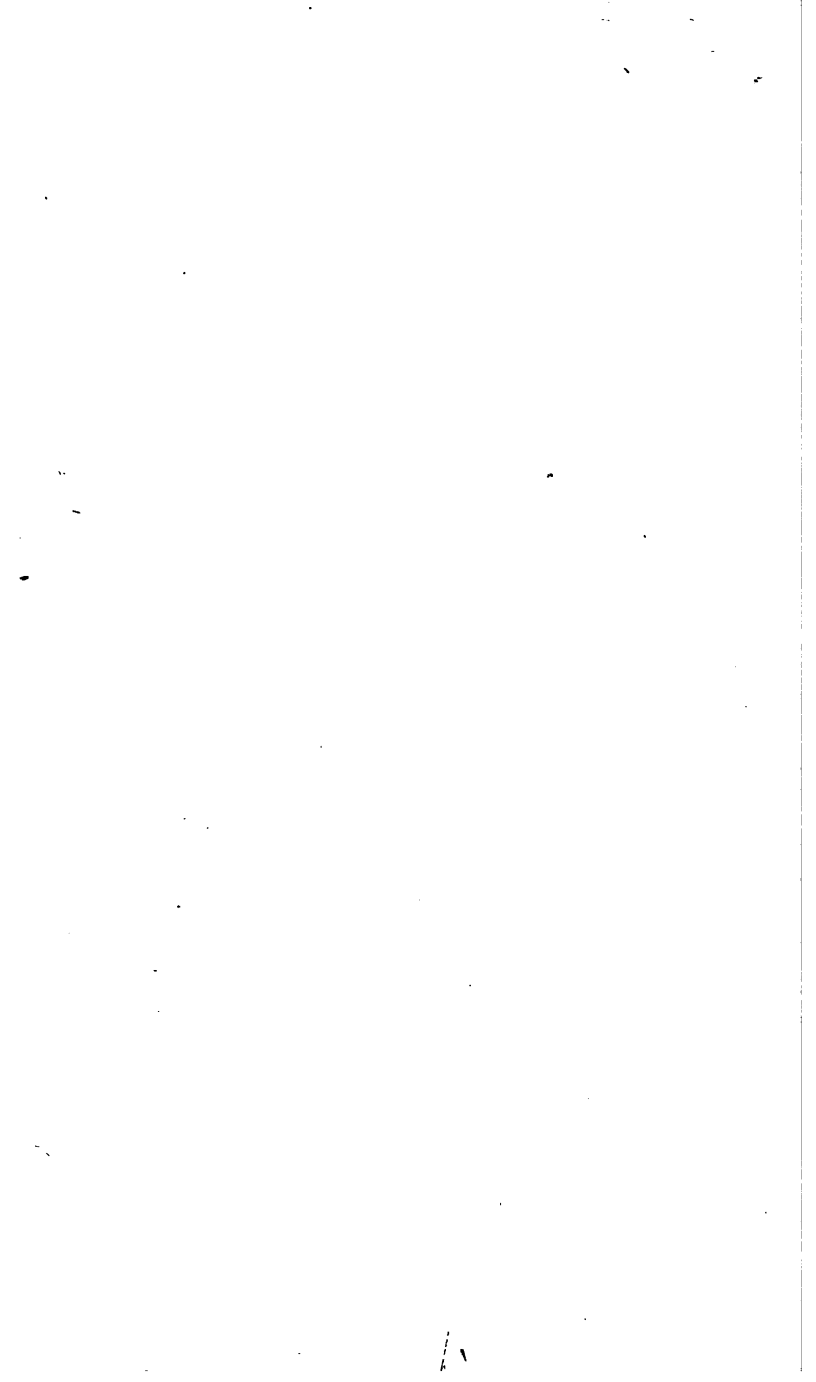
This system ~~was~~^{is} most prevalent at Athens. Columbia College in New York. See proof. Just try and read the antiquities, or visit Greece, and under that new and greater (in his own opinion) show on earth, Prof. Schott.

Ugh!!!!

"The man that is examined, is more than damned."

Respectfully dedicated to Prof. Schmidt, who had added his own quota towards making the under-
signed an ass.

Worthington C. Ford.



QUESTIONS

ON THE

GRECIAN ANTIQUITIES.

1. Who is our principal authority for the Heroic Age? Mention the *historians, geographers, and orators*, from whom we derive considerable knowledge of Grecian Antiquity? On what subjects do Plato and Aristotle give us much information? Mention some poets, grammarians, compilers, and lexicographers, who supply much detached information. What other sources of our knowledge can you mention?

2. Explain the difference between the ancient and the more modern name of *Hellas* (A and note). What were the three divisions of *Hellas* in the general acceptance of the term? 3. Divide *continental* (or *north-ern*) Greece into two portions. What connects northern Greece with the Peloponnesus? 4. Name (1) the districts of Peloponnesus; (2) the more remarkable islands. Give the meaning and derivation of *Cyclades, Sporades*.¹

6. What is the geographical character of Greece? What are its natural capabilities? To what pursuits was the attention of the Greeks directed from very early times? To what pursuits, mode of life, or the like, was the situation of Greece *unfavourable*?

7. What race is said to have peopled Greece and the neighbouring countries in the earliest times? From what country did this tribe probably emigrate, and to what races does it appear to have been allied? Of what other tribes do we read? What mention is made of the *Hellenes* in Homer? What tribe at last spread its influence and name over the whole of Greece? What are the names for *Greeks* in Homer? (note 4.) 8. Name the four principal Grecian tribes, and their traditional origin. 9. What foreign *immigrations* are mentioned, and what historical credit do they deserve? Who are said respectively to have settled in Attica, Boeotia, Argolis, and other parts of the Peloponnesus? From whom did the *Greeks* learn the art of writing?

10. What is the usual date of the Trojan war? From what event may we date the supremacy of the *Hellenic* tribe? 11. What tribe obtained the greater part of Peloponnesus? Who were the previous pos-

¹ *Cyclades*=*cluster-islands* (κύκλος *circle*): *Sporades*=*scattered islands* (σποράς, *scattered*: σπειρώ).

sensors, and what became of them? Describe the migrations of the Ionians. 12. Describe the possessions after the age of migrations of the *Æolians, Ionians, Dorians*. Where were *pre-Hellenic* tribes still found? Who then dwelt in Thessaly? What were the two tribes that possessed the most distinctly marked family character?

13. Give the character of the Grecian states as gathered from Homer. Explain the synonymical identity of *state* and *city* in Grecian history.

14. When did the constitutions of the states become republican? What exception was there? What causes favoured the establishment of republics (or democracies)?

15. What body paved the way for the overthrow of the monarchies? Explain the terms by which the aristocracy were designated with reference (1) to *birth*; (2) to the *possession of freehold property*; (3) to the *possession of a horse or performance of knightly service*; (4) to *wealth*; (5) to *supposed merit*. 16. On what other circumstance was the distinction between an *aristocracy* and a *plebs* founded? Mention some race who had been enslaved after the conquest of their cities.

17. Into what did the *aristocracies* often degenerate? What political struggle ensued? What was the term for *the people (plebs)* as opposed to an *aristocracy*? 18. What privileges were in many states wrested from the aristocracy? By whom and *when* were constitutions founded in the course of these struggles, at *Mitylène, Sparta, Athens, Catana*, amongst the *Epizephyrian Locri, &c.* 19. What was a *ραπαις*? Give an instance of a *ραπαις*. What was the *age of 'tyrannies'* in Greece? Were they necessarily unfavourable to the *δῆμος*?

20. Mention other causes (cf. 13) that favoured the growth of democracies. Who sometimes became leaders of the popular party? What was the political effect of the Persian war? What sides were usually taken by the *aristocratic* and *democratic* parties respectively, in the Peloponnesian war? Give the date of that war. 21. What party was victorious at the end of the Peloponnesian war? What were the consequences of this success? What arose in other places? 22. By what was the way paved for the sovereignty of Philip of Macedon? Mention some flashes of the old Grecian spirit that appeared in the *evil days* of Greece.

23. What event gave the last blow to Grecian freedom? When? Under what name was Greece finally incorporated, as a province, into the Roman empire? What states were recognized by the Romans as *liberæ civitates*? Who and with what effect proclaimed the *independence* of Greece?

24. What were the two essential parts of *every* Grecian constitution?

25. What distinction prevailed, with reference to these parts, between the *aristocratic* and the *democratic* states? Explain *δοκιμασία* and *σάβην*.

26. How was the judicial power usually divided?

27. Which Greek tribe developed its powers the most rapidly? In which Greek tribe had *democracy* the most rapid growth? Which was the most important *Ionian* state? Explain the progress and effects of democracy at Athens. 28. Which was the most important *Doric* state? Explain the distinction between Spartans and *Periæci*. What principle was carried out to its fullest extent at Sparta? with what effect? Mention the *first* and the *final* effects of the Spartan constitution.

29. What was often the *only* principle by which the more powerful

Grecian states were checked? What *bonds of union* existed between the Grecian states? When did the Greeks *always* become conscious of their nationality? 30. What *religious* or *quasi-religious* institutions assisted in keeping up a national feeling? Mention the principal Grecian Oracles.

31. By what principle were particular states sometimes united? What leagues obtained importance in later times?

33. Mention a remarkable distinction between Grecian and Roman colonies.

34. Explain the term *Heroic age*. What is the date of the expedition (or return) of the *Heraclidae*? Of what race were they? Mention some of the principal *Heroes* before the Trojan war. 35. What is the usual date of the Trojan war?

36. Who put down piracy? What heroes repressed robbery and other violence? Mention some *traces* of a milder spirit that appear amongst the general rudeness and coarseness of the heroic age. 38. What examples of *friendship* belong to this age? what examples of kindly intercourse with dependents? Who was the protector of the stranger? What connexions between ancestors were hereditary? 39. Mention a custom that showed respect for the stranger *as such*. 40. By what *epithets* was the respect for minstrels manifested?

41. What instance can you mention of respect for the *jura gentium*?

42. What was the general form of government in the *heroic age*?

43. How was the kingly office regarded? To whom was the authority of Kings traced? What are frequent epithets of *kings* in Homer? Give instances in which the rights of kings were violated. 44. What traces do we find in Homer of *non-monarchical* governments? Was the succession hereditary? Could females succeed? What epithets refer to the *judicial* authority of kings? What *priestly* office might the kings perform? 45. What were the *royal* insignia? what the privileges of Kings? Explain κήρυκες, τιμή, γέρας, δῶρα, δωρεῖν, θέμιστες.²

46. By what terms were the *aristocracy* distinguished? What term referred to their *advising* the king? Explain αἶνος γερουσίας.³ Mention some princes who had *councils*.

47. Who composed the general Assembly of the people (ἀγορή)? Was it ever safe to resist the open expression of public opinion? Were the Assemblies convened at definite periods? Is any expression of dissent mentioned? Might any individual come forward on his own authority? 48. Who on one occasion dared to express his opinion unsolicited? how did his attempt succeed? What names of *classes* occur?

49. What expression never occurs in Homer? Account for this. Under whose especial protection was the administration of justice? Did the governments seem to concern themselves much about private disputes? What were the most common cases that came before the kings? What was the usual proceeding in cases of murder?

50. What was the character of the Homeric gods? 51. Explain εἵχαί, εἰχὼλή, λιταί: ἀρᾶσθαι, εἰχέσθαι; χεῖρας ἀνέχειν, δρέγειν; γουναίεσ-

² Θέμιστες, *customary dues* to the king (λίπαρὰς τελεῖν θέμιστας): but also *ordinances* (of the gods), *statutes, laws, institutions*.

³ A larger portion of wine by which honoured guests were distinguished at the king's table.

θαι,⁴ σπένδειν, λείβειν: χοή, σπονδαί, ἄρητοι:⁵ θυσίαι, ἱερὰ ῥίξιν. Explain ἑκατόμβη, τέλειος, ὄρκια τάμνειν, δῶρα, ἀγάλματα, θύεα, πέπλος. 52. By what were prayers, libations, and sacrifices also accompanied?

53. Explain νηός, δῶμος, τέμενος, βωμός. Where do we hear of an ἄδύτον? where of the *image* of a deity? Who reformed public worship? Were there appointed priests? 54. Explain μάντιες, θεοπρόποι, τέρατα, σήματα, οἰωνοπόδοι, οἰωνισταί, δεξιὸς ὄρνις,⁶ ὀνειροπόλοι. Do we find traces of sacerdotal families? Was the priestly office hereditary? Of what *oracles* do we read?

55. What were the weapons of the old times? What heroes wielded *clubs*? 56. What were the offensive arms of the heroic age? Give the terms for bows and arrows, quivers, spear, sword, scabbard, slings, battle-axes. Explain μελία, and οὐρίαχος or σαυρωτήρ. 57. What were the defensive arms? Explain λόφος, φάλος, καταιτύξ, ἑώραξ, γυάλον. Give the epithets of the *crest*. Explain Ἀχαιοὶ χαλκοχίτωνες. Why was Ajax, the son Oileus, λινόθωρξ? 58. Explain ζώστηρ; was it *synonymous* with ξῶμα and μίτρα? Explain κνημίδες, σάκος, ἀσπίς, ὀμφαλός, ἀντυξ, κἀνονες, τελαμών. What were lighter shields called? What metal was usually employed? What other metals were used? What was the complete equipment of a warrior termed?

59. How was the fate of a battle mostly decided? Who are celebrated for their acquaintance with discipline? With what is the quiet and steady march of the Achæans contrasted? 60. How did the *heroes* generally fight? Explain ἄρμα, ὄχηα: δίφρος, δίξυγες ἵπποι, παρήφορος: ἡνίοχος, παραβάτης. Explain πολέμοιο γέφυραι. Explain βοὴν ἀγαθός, πρῶτες, πεζοί, πυκινὰὶ φάλαγγες, στίχες, πύργος,⁷ τὰ ἔναρα. 61. How were the spoils divided? What became of those who had fallen? Explain ἔναρα βροτόεντα.⁸ What if a dead body remained in the power of the enemy? Were prisoners ever ransomed?

62. Were sieges conducted on scientific principles? Was Troy fortified? How did the Greeks protect their camp? Explain τείχος, πύργοι, κρήσσαι, ἐπαλξεις, τάφρος, σκόλοπες. Of what kind was the Greek camp? 63. Had they any settled plan for sending out scouts?

64. What naval expedition do we read of before the Trojan war? Explain the following epithets of ships: νῆες εἶσαι, ἐσσελμοί, ἀμφιέλλισσαι, γλαφυραί, κορωνίδες, ποντοπόροι, κυανόπρωροι, μιλιτοπάρηοι.⁹ What became of the ships during the siege? How many men did each ship contain? What was for a long period the usual vessel of war? (note 6.) When were triremes first built? (note 6.) 65. Give the terms for the keel, the

⁴ To embrace the knees, i. e. falling at the feet as a suppliant.

⁵ 'Unmixed libations,' the wine used in *comjacts* being unmixed with water.

⁶ A bird appearing on the *right* hand, which was considered a favourable omen.

⁷ A body of troops arranged in a solid square.

⁸ βροτοίς, bloody: βρότος, blood, gore.

⁹ Ἐἶσος, ἰ (æqualis), floating-evenly; ἀμφιέλλισσις (ἐλίσσω, volvo), impelled onwards on both sides; double-oared; γλαφυρός, excavated, hollow; κορωνίς, curved, beaked; ποντοπόρος, sea-faring; sea-traversing, κυανόπρωρος, dark-prowed, black-beaked. μιλιτοπάρηος, having their sides painted with vermillion.

rudder, the deck, the thwaris or rowers' benches, the oar, the prow, the stern, the mast, the stays, the sail; the various terms for ropes. Does Homer describe any sea-fight? Explain *ἔνσθα ναῦμαχα, φορτίδες εὐρεῖαι*.

66. What was the most universal source of wealth in the heroic age? What are rich men called? What was also an important pursuit? What animals were used for *ploughing*? What other pursuits do we read of? 67. How do we see the wives and daughters of kings engaged? Give instances. Who performed the harder labour? Explain the Homeric use of *ἀνδράποδον* and *θεράπων* (note 7). Does Homer ever use *δοῦλος* or *δούλη*? (note 7.) Explain *θῆτες, ταμιή*. 68. What were the amusements of the heroic age? What sports were practised at the funeral of Patroclus?

69. Were the Greeks *early* acquainted with many of the useful and elegant arts? Explain *δημιουργός*. 70. What arts are mentioned in Homer? Explain *χαλκός, σίδηρος, χρυσός, ἄργυρος, κασσίτερος, ἤλεκτρος* οἱ ἤλεκτρον. 71. With whom was trade carried on at an early period? What *weights* are mentioned? Is coined money mentioned? What *was* the measure of value? Explain *ἐκατόμβοις, ἐννέμβοις*. Who traded with the Greeks during the siege of Troy?

72. What was the life of the Grecian women in the Heroic age? Mention some patterns of *virtuous wives*. What was the lawful wife called? What were the children born in wedlock termed? 73. How was marriage contracted? In what did the form consist? Did parents ever present gifts to their daughter? Were children considered a blessing? What may we learn from the stories of Meleager and Œdipus? Explain *χρησται*. 74. In what did Peleus cause Achilles to be instructed? By whom?

75. Describe the *food* of the Homeric age. Explain *ὄψον* (*ὄψα*) in the Homeric; at a later age. With what did the Homeric feasts usually conclude? What was the usual drink? Explain *κυκεών*. What were their usual meals? 76. What was given to the guests before eating? What distinction did the most honoured guest receive? Who distributed the wine? Explain *ὄπας, κύπελλον, δέπας ἀμφικύπελλον, ἄλειπον, σκύφος, κισθόβιον*. What musical instruments do we meet with? (note 5.)

77. Describe the usual clothing of the men? Explain the epithets, *λαμπρός, ἔθνητος, σιγαλδεις, νηγάτος*.¹ What did they wear when they went out? Explain the epithets of the cloak, *ἀνεμοσκεπής, ἀλεξάνεμος, οὐλη, φοινικέσσα, δειπλή, ἐκταδίη*.² How was the hair worn? Explain *καρηκομῶντες* Ἀχαιοί. Explain the epithets *ὑπλόκαμος, ξανθός*. How were their feet protected? 78. What did the women wear? How were their clothes bound together, and fastened? What were their head-dresses? Explain *ἑρματα, τρίγλυνα, μορόντα*,³ ὄρμοι, ἑλικες.

79. What were the residences of men of rank called? Has this

¹ *Λαμπρός, shining, bright; ἔθνητος, well-spun or beautifully woven; σιγαλδεις* (related to *σίαλος; pinguis*, then *nitidus*), *bright, hence magnificent, &c.*; *νηγάτος, newly wrought* (*νίος, γάω*).

² *Ἀνεμοσκεπής* and *ἀλεξάνεμος, guarding off the wind; οὐλη, shaggy, woolly; φοινικέσσα, purple; δειπλή, double; ἐκταδίη, wide, ample.*

³ *Τρίγλυνα, having three eyes or openings; αἱ, having three stars. "triple-gemmed," Cowper; μορόντα, carefully wrought.*

word any other meaning? Give a general notion of the houses of persons of rank. Explain *τοίχος*, *ἔρκος*, *ἔρκιον*, *πόλαι*, *θύραι δικλίδες*, *ἀλλή*, *αἰθουσα*, *πρόδορος*. What was the front room called? 80. What were the side apartments called? Where did Penelope live in the palace of Ulysses? Whose houses are spoken of as large and handsome?

81. Give the Greek for *raised seats*, *footstool*, *cushions*, *seats or benches*, *chairs*, *tables*, *beds*, *bed-covers*, *sheets*. What were often given as rewards for victory, or presents? Were baths used? Explain *δοάμενος*.

SPARTA.

82. Give the general character of Laconia. How is it divided from north to south? Explain *κοίλη Λακεδαίμων*. What stream waters the valley of Laconia? Where do the eastern and western mountain chains terminate? Are there any valleys in Laconia besides that of the Eurōtas?

83. What was the capital? How situated? Mention some of the public buildings of Sparta. What were the principal open places? What was the largest temple? 84. How was Lacedæmon divided? What Lacedæmonian *φύλαί* are known to us?

85. Who were the most ancient inhabitants of Laconia? At the period of the Trojan war, who are mentioned as the most powerful people? What family was then the most powerful? Did any or all of Messenia belong to the Atridæ? 86. Who invaded the Peloponnesus after the Trojan war? How long after? Who assisted these invaders? 87. How was the empire of the Atridæ divided among the Heracleid leaders? What was their success? Explain *Periæci* and *Helôtes*.

88. What is the amount of our knowledge about the Lacedæmonian commonwealth during the times immediately after the Doric immigration? When did Lycurgus re-establish order? Was his constitution entirely new? What was the main principle of the constitution of Lycurgus? What influence was to be carefully excluded?

89. How was the warlike spirit, developed by this constitution, first displayed? How far did the Spartans gradually extend their influence? To what political principle or party did they always afford protection? Explain *Hegemony*. 90. How far did the Spartan Hegemony extend itself after the Persian war? Who was its powerful opponent? When did Sparta defeat Athens? Did she retain the fruits of her victory? What enabled Athens and Thebes again to oppose her with success?

91. What important alteration was made in the constitution of Lycurgus? When? What magistrates became more powerful at Sparta than the kings themselves? Explain the weakness of the constitution of Lycurgus. 92. What followed the *national* increase of power and wealth? How did it happen that the constitution degenerated into an oppressive oligarchy?

93. Who attempted to restore the ancient order of things? What means did he adopt? and with what success? What measures did Cleomènes III. carry? Who eventually overthrew his projects? Who at length interfered, and made themselves masters of the Peloponnesus? How was Sparta treated by the conquerors? How long did the institutions of Lycurgus retain some portion of their form?

94. How were the inhabitants of Laconia divided? How were the

free inhabitants of Laconia divided? Who were the sole possessors of full political rights? Explain the term *δμοιοι*. 95. Name the Spartan tribes. What does the division of the Spartans into three tribes probably indicate? How were the three principal tribes divided? When did admission to the rights of Spartan citizenship become comparatively common? What class increased regularly from the time of the Peloponnesian war?

96. Explain *Periœci* (*περίοικοι*). What was for the most part their origin? Explain their political condition. With what body of which we read in Roman History would you compare them? After the conquest of Messenia how many cities were inhabited by the *Periœci*? In what occupations did they employ themselves? 97. Who were the *Mothœces*? Distinguish *μωθæκες* from *μωθæνες*. Were the *Mothæces* considered as citizens? Who were called *Nothi*? How might these become citizens? 98. Who were the *Neodamœdes*? Of what class did the armies of Sparta consist in a great measure in later times?

99. Who were the Spartan bondsmen? If a *Helot* belonged to an allotment, how was the owner's right over him limited? 100. What was their number in the prosperous days of the commonwealth? What were their occupations in time of peace? in war? In later times how were they especially employed?

101. What was the general condition of the *Helots*? Explain *κρυπτεία*. 102. What was probably the object of this practice, at its original institution? When was a large body of *Helots* made away with? how many were so removed? Were *Helots* ever emancipated?

103. Was there originally any essential distinction, as regarded privileges, property, &c., between the citizens of Lacedæmon? When did different divisions of property take place? How many *κλᾶροι* were assigned to the *Periœci*? how many to the *Spartiates*? 104. What effect was produced by the regulation that the *κλᾶροι* could neither be divided nor alienated? What means were devised to remove this inequality? When were such measures especially discovered to be inadequate? 105. How was the inequality yet further increased? To what degree was the number of citizens diminished, and the inequality of property increased, in the time of *Agis III.*?

106. What did this inequality of property at last produce? Explain the difference between the *δμοιοι* and the *ἐπομελῶνες*.

107. How had the kingly authority been originally divided? What led to the constitution introduced by *Lycurgus*? On what was it founded? Explain the term *βῆρραι*. To what did the *βῆρραι* of *Lycurgus* seem to have reference? 108. How was the authority divided between the Senate, the Assembly of the people, and the Magistrates? 109. In what point of view may the constitution of Sparta be called democratic? in what aristocratic, and, in its later stages, oligarchical?

110. Of whom did the Senate (*γερονσία*, Lac. *γερουσία*) consist? How were the members of the Council or Senate chosen? What qualifications were necessary? What magistrates gradually usurped the right of sharing the deliberations and presiding at the meetings of the Senate? 111. What was the business of the Senate? What was believed to be a security for the conservative tendency of the Senate?

112. Did the popular Assembly meet at stated periods and on a particular spot? What rights did it possess? 113. What was the people's

share in these discussions? What power did they not possess? Prove how limited their authority was. 114. What power does the government seem to have possessed? Did the Assembly possess any judicial powers? What was the regular mode of expressing their opinion? Who and on what conditions were entitled to be present at the Assembly?

115. Were the Lacedæmonian Kings a distinct power in the state? What were the two royal families? Describe the law of succession. What was done if the King were a minor? 116. Describe the power of the Kings. 117. Did either, or both, or one command the army in time of war? Was the command ever intrusted to other individuals? When the war was ended, might they be called to account? What oath were they required to take every month? By what power was their authority in time of war gradually circumscribed? 118. What state provision did the Ephori receive for their maintenance? What prerogatives did they enjoy?

119. From what time did the office of the Ephori gradually raise itself to the highest authority? From what did its political importance and popularity mainly result? How were the Ephori chosen? 120. Describe the extent of their authority and privileges as fully developed. 121. Describe their monthly oath. What remarkable power did they possess against the Kings? Describe the *συνάλη*.⁴ What favoured their constant endeavours to weaken the monarchy?

122. What offices did the following magistrates hold: the *παιδονόμος*, *βίδοι* (*βίδνοι*), *ἀρμόσυννοι*, *ἐμπέλωροι*, *πόθιοι*, *πρόξεννοι*, *ἀρμοσται*?

123. What place, in *theory* and *practice*, did the *state* occupy in the Spartan constitution? 124. What was the *final* effect when the chains of ancient belief and custom were once broken?

125. Where was the judicial authority placed? Who judged capital offences? who private disputes? 126. What questions belonged to the Kings? By whom were offences committed by the Kings judged?

127. What were the usual punishments? On whom was *δρεπία* inflicted? What were the capital punishments?

128. What gods were the most highly honoured at Sparta? What priesthood did the Kings hold? What oracle did the Spartans especially honour?

129. What were the principal national festivals?

130. Who formed the main strength of the Spartan army? 131. Describe the equipment of the Spartan Hoplites. How soon were Helots employed as heavy-armed soldiers with a promise of emancipation? Of whom did armies on foreign service principally consist in later times? When were mercenary troops employed?

132. In what did the efficiency of the Spartan army principally consist? How was the whole force divided? How strong was the *Enomonia*? 133. Was the cavalry a strong body? how was it divided? Of

⁴ It was a staff of a particular size? The *Ephori* wound round this *scytale* strips of the material they intended to write on. Having written what they wished, they *unwound* it, and sent it to the King or other Commander-in-chief, who wound it round the *counterpart* of their *scytale*; by which operation, the parts being brought together as before, it became legible to him.

what two distinguished corps of cavalry do we read? Of whom did the *anais* consist? Who were the *dyaboeptoi*? Of whom did the light-armed companies consist? How many Helots attended each Spartan (Spartiate)?

134. Who at first commanded the armies? Who formed their council of war? Mention some Spartan commanders-in-chief who were not Kings. Who were the remaining officers.

135. How did the campaign commence? What was done if the Diabateria were unfavourable? What effect had the Carneian festival on a campaign? What were always continued in camp? Who were excluded from the camp? 136. Describe the arrangement of an army in battle array. Describe the sacrifices, martial music, &c., which preceded the onslaught. How did the army advance? What scientific manœuvres and evolutions were sometimes employed? 137. What was not customary? Of what military operations did the Spartans know nothing? How were those who had most distinguished themselves by their bravery rewarded? Who received especial honours? How were cowards punished?

138. To what was Sparta indebted, during the Persian war, for the Hegemony by sea? When did she first figure as a naval power? Who often manned the fleet? What character did the Spartans try to give to their naval engagements?

139. How was the expenditure of the Spartan government defrayed? Was it large? 140. What did Lycurgus prohibit? With what limitation must the statement that Lycurgus permitted only iron money be understood? Explain *πῆλανος*. Show that the privilege of possessing the precious metals extended at length to the Kings and Commanders-in-Chief.

141. Give instances in which the Spartan government interfered in matters which are generally left to each man's discretion.

142. What was, nationally considered, the object of marriage? How did the state encourage marriage? On what was a penalty imposed?

143. What did the marriage solemnity resemble? Describe the regulations with respect (1) to dowry, (2) to the estate of an heiress. Who decided questions about the marriage of heiresses? How was the married state looked upon at Sparta?

144. What was the great aim of the government in its measures of education? Whose property were children, especially boys, considered? What was done as soon as they were born? When did the state undertake their education? 145. Describe the divisions of the Spartan youth, their teachers, &c. When did they become *μελλείπενες*? When *εἰπένες* (*ἰπένες*?) *σφαίρεις*, *ἄνδρες*? What educational authority did every citizen of full age possess?

146. How might the boys improve their spare diet? What if they were detected in this attempt? 147. Describe their dress, their beds, their exercises. Mention a singular method of hardening them?

148. Was the Spartan education favourable to a free expansion of the understanding? What arts, &c., were always viewed by the Spartans with distrust? To what was their intellectual training restricted? 149. In what harmony were their national songs composed? When were the boys accustomed to listen to the grave conversation of their elders? What was always strictly enforced?

150. Describe the education of Spartan girls. Did the Spartan women enjoy greater or less freedom than the Ionian?

151. When did the Spartan youth obtain the freedom of men? What had been their condition hitherto, even though they were married? In what particulars was the feeling of dependence on the state retained? 152. At their meals what was the principal dish? What additions were sometimes made to the entertainment? What was done in after times, when discipline was relaxed? 153. How much was each member bound to contribute to his *mess*? To what did neglect of this regulation subject the offender? How were new members admitted to a *syssitia*? How many generally sat together? In what other respect were they comrades? Explain the term '*laconic answer*.'

154. What besides the diet was required by the law to be exceedingly simple? What was their dress? What did the Spartan generally carry? What was the dress of the women? 155. By what was intercourse with foreigners rendered difficult? Explain *ξενολασία*.

156, 157. Describe the relaxation of discipline. At the period of the Peloponnesian war, what was the state of Sparta as to *morals*, the number of its citizens, &c.? By what was Sparta doomed to fall?

CRETE.

158. Mention some other Doric states, whose institutions, &c. were stamped with a Doric character. By whom and when was Crete colonized? 159. From whom does tradition derive the ancient laws and constitution of the island? Was Crete one state? Explain the Homeric epithet of the Cretans *τρίχακες*.

160. Describe the Cretan constitution. Did all Cretans enjoy the full rights of citizenship? Explain *μυωταί, κλαῶται, ἀφαρμυῶται*. 161. In whom was the government vested? Who commanded the army, and presided in the Senate and Assembly?

162. What was the discipline and mode of life of the Cretans? When did education begin, and in what did it chiefly consist? Mention some other points of resemblance between the customs, &c. of Sparta and Crete. What change did the constitution undergo? With what final result?

ATHENS.

163. What is the general character of Attica? Describe the situation and boundaries. How is Attica divided? Explain *ἡ πεδιάς, ἀκτῆ, ἡ παραλία*. 164. Was the soil of Attica fertile? What were its productions (agricultural, mineral, &c.)? What its climate? 165. For what pursuits was it well adapted? What islands belonged to it? What were the political divisions of Attica? What district belonged in ancient time to Attica?

166. Describe the situation of Athens. Mention its traditional founders. When was it rebuilt? Who adorned it? 167. Describe its divisions. What were the most remarkable buildings of the lower city? What open space was there in the lower city? 168. How was the upper city protected? Describe the Propylæa. What were the principal buildings of the upper city? 169. What were the quarters of the city?

Who surrounded the city by a wall? Of what extent? Mention some of the gates. 170. What were the harbours? What handsome buildings were there in the Port? How were these harbours joined to Athens? Who fortified the Piræus? By whom were the connecting walls completed? By whom were the Long Walls and the wall of the Piræus pulled down? by whom restored? 171. What celebrated Gymnasia were close by Athens? What Gymnasium was at some distance from the city?

172. Of what origin were the most ancient inhabitants of Attica? Who was Cecrops, according (1) to the less, (2) to the more probable tradition? With what does tradition connect *Erectheus*? Give the legend of Xuthus. 173. What does this tradition indicate? What were the inhabitants of Attica universally believed to be? (note 5.) What does the legend ascribe to Ion? Explain the probable meaning of *Γαλαῖες* (or *Τελέωντες*), *Ὀπλητες*, *Ἀργαῖοι*, *Αἰγικραῖες*. What indications exist of an ancient division into castes? (note 6.)

174. What is ascribed to Theseus? Describe (1) the executive power, (2) the constitution. 175. What people took refuge in Attica? When? What caused an emigration to Asia? 176. What increased during these disturbances? What changes took place in the sovereign power?

177. Describe the legislation of Draco, with its *dates*, *causes*, and *character*. When was Solon appointed to the archonship?

178. What was Solon's first step towards lightening the public burdens? Describe Solon's division of the people into classes. On what was this division grounded? What were the exemptions and what the diminished privileges of the fourth class? 179. What offices were open to the first three classes? what only to the first? What right did all the citizens enjoy? Who brought the proposed measures before the Assembly of the people? 180. From whom were the judges (or *jurors*) chosen? With what was the college of the Areopagites charged?

181. What was the result of the disputes that followed the death of Solon? When was the tyranny of Pisistratus suppressed? What followed its suppression? What fresh division of the people was made? 182. When did the people become possessed of an overwhelming preponderance? Account for this. How early were the magistrates elected by lot? By what *abolition* was the power of the democracy enormously increased?

183. Mention some corrupting causes that affected the character of the Athenian people. To what monstrous notion did the doctrine that all men are eligible to offices of state give birth? What was the *θεωρία*? What injurious practice was introduced? What office fell into contempt? 184. Who was the author of many of these changes? What was the effect for a time of his personal influence? How were rich citizens annoyed? How were the allies ruined? Who had *used* the power of influencing the people well? who *abused* it?

185. Date the end of the Peloponnesian war. When were the more aristocratic features of the government restored? Name these features. Did the restoration last? Who introduced an oligarchical form of government? When? Describe it. Who deposed the *'thirty tyrants'*? 187. When was the democratic constitution re-established? Was the democracy less or more corrupt after the deposition of the thirty tyrants? Date the battles of Chæronea and Cranon (or Crannon).

188. How were the inhabitants of Attica divided? How were the free citizens divided? Who according to the law of Solon was entitled to full political rights (πολιτεία)? How did Pericles modify this law? When does it seem to have been disregarded? 189. When did a youth's legal majority commence? By what ceremonies was its commencement marked? 190. Explain the term περίπολος. When were the higher offices of the state open to him? Who only could exercise full political rights? Explain ἐπίτιμοι, δέτιμοι. Did *Atimia* admit of degrees?

191, 192. What was the constitution with reference to foreigners? By whom and how could the freedom of the city be granted? Could a decree conferring citizenship be set aside? From what were the δημοποίητοι excluded? Explain the terms δημοποίητοι, or ποίητοι. When was the freedom of the city but seldom bestowed? Was it ever bestowed more frequently? Who were made citizens after the destruction of Plataea? who towards the close of the Peloponnesian war?

193. Explain φιλοξενία.⁵ What were aliens or resident foreigners called? Was their number considerable? What were they *not* allowed to do? What attempt subjected them to enslavement? What yearly tribute was exacted from them? In what respect were they as free as the native citizens? 194. What were required from them no less than from the Athenians? What actions that marked inferiority were they obliged to perform at certain festivals? From whom alone could any relief from their disabilities be obtained? Who were the ἰσοτελεῖς?

195. Had Attica any bondsmen like the Helots? How did the Athenians procure their slaves? How were the public slaves employed? Who were the Scythians or τοξόται? 196, 197. What was the general condition of these slaves? Might slaves possess property? What securities had they against extreme severity? What alleviations did they possess? What institutions were they never allowed to visit? Might they appear as witnesses? How must their evidence be obtained? 198. What was the condition and name of emancipated slaves? Might emancipated slaves be again condemned to slavery? What was the population of Attica in her best days?

199, 200. What alteration did Clisthenes introduce into the Attic tribes? Name the tribes. Into how many *demi* were they probably divided? Were the *Demi* which belonged to each Phyle necessarily adjoining districts? In what register was the son's name always inscribed?

201, 202. What did each Phyle possess? What was transacted in the public assemblies of the Phyle? What did even the *Demi* possess? When were youths enrolled in the register of their father's *Demos*? Explain ληξιαρχικὸν γράμματιον. Were adopted sons enrolled in this? Were names ever expunged from the list of *Demōtæ*?

203. What and how old was the division into *Phratriæ* and *Gene*? How many *phratriæ* were there? How many γένη did each *phratría* (or ward) contain? Were the δημοποίητοι admitted into any ward or family? Say whether this occurred *always*; *usually*; *ever*. What was the effect of this admission or non-admission? 204. When were the names

⁵ The comparative readiness of the Athenians to admit strangers to citizenship, to afford them legal protection, &c.

of new-born children enrolled in the register of the Phratría? What was one of the family duties of the Phratôres? Who managed the affairs of the Phratría? 205. How was a *γένος* subdivided? On what grounds were the Phratría and Gene upheld as much as possible? What did they possess? At what worship could none but the members of the Phratría and Gene assist?

206. Explain *τριτῦες, ναυκραταί*. What had these divisions reference to?

207. What were *ἐκκλησίαι νόμιμοι, ἔννομοι, κέρβια*? What were *ἐκκλησίαι σὺγκλητοι* or *κατάκλητοι*? 208. At the ordinary meetings where did the people in ancient times assemble? What assemblies were still held on the Pnyx? Who regularly summoned the Assembly? How were the people called together on the day of meeting? 209. What were the duties of the Lexiarchs? What did those who attended receive? Might absentees be punished? Explain *κἄνω καὶ κἄτω Τὸ σχοινίον φεύγονσι τὸ μεμιλωμένον*.⁶

210. How was the meeting opened? Who introduced the subject to be discussed? If the deliberation of the Senate were not required, how was the matter proceeded with? How was the approbation of the people expressed? If the matter required debate, who were invited to deliver their opinions? Was this practice always observed? (note 3.)

211. What rules were made to *secure* and *restrain* liberty of speech? What was done to those who transgressed these rules? Who assisted the Proedri in maintaining order? 212. What right does each of the Proedri seem to have possessed? On what condition might private individuals interfere, even after the proposal had been gone through?

213. What was the usual manner of voting? What other mode was sometimes employed? when? When the vote was by *ψηφοί*, how many votes were necessary to carry the question? What was done after the votes were taken? Was a meeting ever adjourned to the next day? when?

214. What subjects were decided in these assemblies? To whom did ambassadors both *from* and *to* Athens submit their reports?

215. How was the legislative authority of the *Ecclesia* circumscribed in ancient times? What was done at the first assembly in each year? If any change in the laws was thought advisable, what was next required? Explain *συνήγοροι, σύνδικοι*. Explain the *formation, sittings, and functions* of the legislative committee (*νομοθέται*). 216. Was the decision of this committee absolutely final? If not, how might it be contested? What power did the assembly possess when a *γραφὴ παρανόμων* was before it? Explain *ἐπιχειρονομία*. Were laws ever passed by the people without the intervention of the Nomothetæ? What rule provided for the *consistency* of the legal code?

217. What blind democratic principle was introduced into the manner of electing officers of state? What exceptions were there? What were the meetings for the purpose of electing magistrates termed? Explain *ἀρχαιρεσιάζειν, σπονδαρχίαν*. After their entry on office could magistrates

⁶ The *τοξόται* were furnished with a rope dyed with *vermilion*, with which they scourd the streets, to drive the people into the Assembly, and mark those who refused to go.

&c. be removed for misconduct? What was done with reference to the removal of officers?

219. What was the *judicial* authority of the Assembly? On what were the proceedings in such cases founded? Explain *μύνοις, εισαγγελία*. Were cases of this description ever brought before any other body? If so, state what that body was, and what its powers. What step did they then take? To whom did the people generally refer the cause? Explain *τροβολαί*.

220. In what states besides Athens did Ostracism exist? Was the Ostracism a punishment for *offences committed*? Describe the manner of pronouncing a sentence of Ostracism. 221. What were persons condemned by the Ostracism required to do? How far was the time of absence afterwards restricted? Might they be recalled before the expiration of that time? Who possessed the exclusive right of remitting punishments? Was any *disgrace* attached to the Ostracism? Was any injury done to the house or property of the banished man? Who obtained the abolition of the Ostracism? when?

222. In the time of Solon, of how many did the Senate consist? Who increased the number? How much? State the *original* and the *altered* qualification. How and how often were the Senators elected? Might the same members be re-elected? After their election to what were they required to submit? 223. Explain *δρκας βουλευτικός*. Might they be expelled (and if so, by *whom*?) for misconduct? In what other respect were they responsible? What did each Senator receive daily? Describe their privileges. What badge of office did they wear? When? If they discharged their duties faithfully, what was generally awarded them?

224. Explain *προβουλευεῖν, προβούλευμα*. State the general duties of the *βουλή*. What financial arrangement belonged to them? 225. What military or naval arrangement? What judicial authority did they exercise? What amount of fine might they inflict? How long were the decisions of the Senate binding?

226. How often and where did the Senate assemble? Were their meetings public? How was the Senate divided for working purposes? Explain *φυλή προταεόνσα, Prytany, Prytānes*. Explain the ambiguity of the term *προταεῖον*. What took place at the *Prytaneum*? 227. Explain the term *ἐπιστάτης*. What were the duties of the *ἐπιστάτης*? Explain *πρόεδροι*, and *φυλή προεδρεύουσα*. 228. Explain *ἐπιψηφίζεῖν*. Whose permission was required before the question could be put to vote? How long did a Prytany last in ordinary years? How long in leap year? Explain *γραμματεὺς, ἀντιγραφεὺς, εἰσιτήρια, ἐξιτήρια*. With what did the daily sitting commence?

229, 230. Distinguish between *ἀρχοντες ἐπιμεληταί*, and *δημόται*. How and where were the *ἀρχοντες* and *ἐπιμεληταί* chosen? Explain *ἀρχοντες κληρωτοί, or ἀπὸ κῶμον*.

231. Explain *δοκιμασία*. What was it *not*? Who might become candidates for public offices? 232. When did all property qualifications cease? Was there any exception? State the *qualification* for a commander-in-chief; for the priesthood; for the archonship. What (according to some) was the qualification as to age? Explain *ἀφελείς, μὴ ἀνάτηροι, οἱ ἀποδοκιμασθέντες*. How were the rejected punished?

233. Were all magistrates responsible? For *what* were all especially

responsible? Explain the number, office, mode of election, &c., of the *λογισταί*, of the *εἰσθνοί*. What do some suppose with respect to the *Logistæ* and *Euthyni*? (note 8.) What steps were taken against those whose accounts were not satisfactory? 234. In this court how were the interests of the state represented? What restriction was placed on the liberty of a citizen until his accounts were passed? How were these accounts published? Did these measures secure the *integrity* of public men?

235. What caused the power of the Magistrates to be more and more restricted? Mention particulars in which their powers were curtailed. What restriction was there with respect to holding the *same* office twice, or two *different* offices within a certain space of time? Could they impose fines? If so, with or without appeal? From what were they protected? Of what magisterial *insignia* do we read?

236. Explain *ἄρχων*, *βασιλεύς*, *πολέμαρχος*, *θεσμοθέται*. To what was the originally great authority of these Archons afterwards reduced? What judicial authority had they? With or without appeal? What actions came under their cognizance? What disputes did the Polemarch decide? In what questions had the *βασιλεύς* jurisdiction? in what the *Thesmothetæ*? 237. What duties devolved on the Archons as a body? Which of the Archons had assessors (*παρόδοι*)? Before entering on the office, what oath were they required to take? After the expiration of their year, of what body did they become members?

238. Who were the Eleven (*οἱ ἑνδεκά*)? what their functions? Who had the right of inflicting summary punishment? Who, how many, &c. were the *δουνοί*? What were their duties? 239. Who were the *δόσποιοι*, the *ἐπιστάται τῶν ἐδάτων*, the *ἀγοραῖοι*, *σιτοφύλακες*, *μετρονόμοι*, *ἐπιμεληταὶ τοῦ ἐμπορίου*?

240. Explain *σύνδικοι* or *συνήγοροι*, *ἐπιμεληταὶ τῶν Διονυσίων*; *βοῶναι*, *σιτῶναι*, *ἀθλοθεταί*, *σφρονοισταί*, *θεωροί*, *ἱερομνήμονες*, *πυλαγόροι* or *πυλαγόροι*.

241. From what rank were the *γραμματεῖς* generally chosen? Who attended on the higher functionaries? From what rank were the *δημόσιοι* (*ὑπηρέται*) generally taken?

242. On what was the whole system of Solon's legislation based?

243. What were the only forbidden degrees? By what was every marriage preceded? Whose consent was necessary? Explain *ἀγχιστία*. Might men have more than one wife? 244. How was the marriage sanctioned? By whom was the dowry generally given? Did it become the absolute property of the husband? Might the husband divorce his wife? What is the term for *to divorce*? If the husband *sent away* his wife, what must he do? If both parties agreed to the separation, was any thing further requisite? In the event of the wife wishing to leave (*ἀπολείπειν*) her husband, what was necessary? 245. Who could claim the hand of an heiress or *ἐπίκληρος*? Explain the term *ἐπίκληρος*. Was the nearest male relation compelled to marry a poor *Epiclēros*? Against what were these *ἐπίκληροι* protected?

246. On what was the authority of the father dependent? What right did the father possess? What was he bound to do for each son? What were the sons bound to do for him? Explain *εἰσποίησις*. In what light was adoption generally considered? To what condition was it always subject? When only could the adopted son return to his original family? 247. Under what superintendence was guardianship placed?

Explain the Athenian sense of "infant" or "minor." When was the legal majority attained? Might guardians be appointed by will? Who usually undertook the office of guardian? To whom did the guardianship of the Epiclēri, and the management of property belonging to minors belong?

248. Were *υἱοὶ* entitled to the property of their parents? Were they entitled to *any* of it? What was the rule on this point with reference to *adopted* children? Explain *ἀγχιστεία συγγένεια*. Had a father the *absolute* right of disinheriting a son? What became of the children of one who at the time of his death was *ἀτιμος* on account of debt to the state? Explain the law of inheritance: stating (1) whether *all* the sons inherited, or only the *eldest*: if *all*, (2) whether in *equal* or *unequal* proportions: (3) whether *daughters* inherited *at all*: (4) if so, *equally*, *unequally*, or *how*. Explain *ἐπίκληροι*. 249. What was the Attic law in cases of intestacy? Who succeeded when there were neither natural nor adopted heirs? What became of the property of *μέτοικοι* under those circumstances? What free citizens had not the right of making a will (*διαθήκη*)? What wills were invalid? 250. Might legacies (*δωρεαί*) always be left? Who only could inherit property? When was the attention of the people drawn to the subject of inheritances? What was the ground of this strictness?

251. What were the chief means of security in pecuniary transactions? What change did Solon make in the old law of debt? What was done at the paying over of a loan to the borrower? What became customary as trade and barter increased? 252. Was the rate of interest fixed by Solon? What was it generally? How was interest reckoned? Explain *ἰγγύη*. When was it permitted? What oath were the *βουλευταί* required to swear? To whom did this oath not apply? Were there any symbolic usages in the transfer of real property?

253. Of what courts do we find mention at a very early period? By whom were they respectively established or confirmed? Who were admitted to these courts by Solon's constitutions? Was the judicial authority of the Archons immediately superseded? 254. From what did the overwhelming weight of business in these courts result? What courts of justice were there besides those of the Areopagites and Ephētæ?

255. Derive the term *Heliasts*. How must they be considered? How were the *Heliasts* chosen? How were they divided? Did they take an oath of office? 256. When any cause was to be tried, how was it decided, at which of the various spots, and under the presidency of which magistrate each division should sit? How was the place then marked out? Was the number of judges fixed? Was the number generally odd or even? Before whom were questions respecting the desecration of the mysteries, and those which regarded breaches of military discipline respectively tried? 257. To what cases did the authority of the *Heliasts* not extend? What did each judge (or *juror*) on arriving at the appointed place, receive? To what was he entitled on the production of it? How long had this been the custom? Who paid this *juror's* fee? When were no sessions held? Explain *ἀποφράδες, ἡμέραι*. When did the Areopagites sit but not the *Heliasts*?

258. Describe the court of the *Diētētæ*. To whom did an appeal lie from the *Diētētæ*? State their number, age, mode of election. How

many *Dietæta* sat on each cause? What fees did they receive? To whom were they responsible? 259. Explain the Forty. What judges went *on circuit*? What causes did they try? What *two offices* did these *circuit-judges* combine?

260. By the constitution of Solon, of whom did the court of Areopagus consist? Of what did it take cognizance? Were the judges responsible? Before whom might they be arraigned? by whom expelled? What was their court originally *besides* a *δικαστήριον*? 261. By whom and when was the authority of this court greatly circumscribed? Did it recover its former power and influence in the state?

262. How many *Ephētæ* were there? To whom was their organization principally ascribed? To what cases did their jurisdiction extend? Where did they sit to try different causes? What was the severest penalty inflicted by them? In later times by whom were their functions in a great measure usurped?

263. Who took charge of the preliminary proceedings and presided at the trial in cases of disputed succession and family quarrels between citizens? Who in similar disputes between *μέτοικοι* and foreigners? At what trials did the *βασίλεις* preside? at what the *Thesmothetæ*?

264. Who only were permitted to plead in person? Who appeared for (1) *slaves*, (2) *μέτοικοι*, (3) *women* and *minors*?

265. Was the line between public and private wrongs very strictly drawn? Support your opinion by instances. To bring forward a public complaint, must the complainant be the party injured? To whom did the fine imposed then go? Under what circumstances was the public prosecutor punished? How?

266. What is the general term for a public prosecution? Explain *ἰσχυρίσις*, *ἀπαγωγή*, *ἐφήγησις*.¹ Of what other forms do we read?

267. Mention some trials (1) before the Archon, (2) before the King, (3) before the Polemarch, (4) before the *Thesmothetæ*, (5) before the Eleven, (6) before the *Stratēgi*. Explain *δίκη ἀποστάσιον*, *ἔθρεως*.

268. By whom only could private complaints be brought forward? In all such actions what rule was there? Explain *ἐπωβελία*.

269. Give examples of private actions (1) before the Archon, (2) before the *Thesmothetæ*, (3) before the Forty.

270. Explain the terms *κλήσις* or *πρόκλησις*, *ὁ διώκων*, *ὁ φεύγων*, *κλητήρες*, *πρωτεύειν*. When only was recourse had to the *ἀπαγωγή*? What was the accusation in writing called? 271. In private actions who were required to deposit security? What exception was there? What became of this deposit? In criminal proceedings was any thing deposited? Of what other dues do we read?

272. Explain *ἀνδρείσις τῆς δίκης*, *ἀνωμοσία*, *διωμοσία*. What was prepared against the day of trial, *besides* the proofs, &c.? Explain the difference between *μαρτυρία* and *ἐκμαρτυρία*. How were slaves examined?

¹ *Ἐνδείξις*, a written information laid before the proper magistrate; it referred to a person's *disqualification* for an office he had undertaken, or a right he had exercised; it was also against an *absent* person. *ἀπαγωγή* against one *present*, who was carried before the magistrate. *ἐφήγησις* was when a criminal found in concealment was visited by the magistrate.

273. Explain *ἐπωροσία*. Explain *δικαι ἐμμεναι*. During the *ἀνάγκῃς* in private actions, how might the proceedings be set aside? or how quashed?

274. What was the day appointed for the trial called? What if the defendant were absent without reasonable cause? Explain *ἐρήμην καταδικάζειν*. What assistance might the parties obtain? How was the time they were allowed to occupy measured? Explain *λίγες ἐν τῷ ἐμῷ ὅδατι*. When was the Clepsýdra stopped? 275. How was the verdict given? If the votes were equal, was it a verdict of acquittal or of condemnation? Explain *ἀγὼν τιμητός* and *ἀγὼν ἀτιμητός*; *ἡ πρώτη ψήφος, τιμᾶσθαι* and *ἀντιτιμᾶσθαι*; *ἡ δευτέρα ψήφος*; *τιμῶν, προστιμῶν*.

276. On whom did the duty of prosecuting in cases of murder devolve? Describe the formalities observed? What *ἀνάγκῃς* was instituted? How long were these investigations continued?

277. Where and under whose presidency was the court of the Areopagites held? To whom was a solemn oath administered? How often did the accuser and the accused address the court? What were they forbidden to attempt? After the first pleading, what might the accused do? When did the members of the court vote? What if the votes were equal? When did the obligation to prosecute cease? When might the relations themselves abandon the prosecution?

278. What if the defendant were *ἡμετέριος*? To what did a *δίκη ἐξούλης* subject him? What might foreigners be compelled to do? In public actions what did those who were sentenced to a fine become? and what were they obliged to do? When and how much was the penalty increased? What might the state do at last?

279. What appeals were allowed? From whom was there no appeal? On what conditions could a decision of the Heliasts be set aside? Explain *δίκη ψευδομαρτυριῶν*.

280. Of what kinds were punishments? What did the first comprehend?

281. Did *Atimia* in itself render the person *infamous*? Explain the three varieties of *Atimia*. For what purposes was *ἀτιμία* sometimes used? 282. Might *Atimia* ever be inflicted without the intervention of a judicial sentence? Explain *Stêliteusia*. How did it differ from *Atimia*?

283. When was imprisonment employed? when confiscation? To what was *confiscation* not added. From what must it be distinguished?

284. When sentence of banishment was pronounced, what was done? On whom was it inflicted in conjunction with confiscation? What was the punishment for unpremeditated homicide? On whom was slavery inflicted? as a punishment? 285. Might capital punishment ever be inflicted by the injured party on the spot? What was the capital punishment for offences against the state? For what was it inflicted?

286, 287. Account for the eagerness with which men sought the office of judge? Explain the term *sycophant*.⁸ Give instances of this wretched administration of the laws in the later times.⁹

⁸ Properly it meant one *who informed against an exporter of fgs*, it being, by an old statute, illegal to export them from Attica: Hence it became a general term for a vexatious informer, one who traded for his own profit in accusing public characters, &c.

⁹ By *Hermocopidae* is meant the persons who mutilated the *Hermæ* i. e. the statues of *Hermes* (Mercury) in the streets of Athens.

288. Who was the chief deity? What other deities did the Athenians worship? Mention some of the national heroes. 289. How were the expenses of religious worship defrayed? Give the general character of the Athenian temples. Explain *ἔρκος* or *περίβολος*, *βῶμος*, *σηκός*, *ἀγαλμα*, *ἰδῆτον*, *μέγαρον*, *ἀνάκτορον*, *ἀναθήματα*, *ἀεὺλα*.

290. Name the more important festivals. Describe the Panathenæa. What was the chief solemnity at the great Panathenæa? What part in the Panathenæa belonged to the *Metæci*? What was the prize? Explain *λαμπαδηφορία*. How many Dionysia were there? Give the names of each, and the time of its celebration. When were theatrical representations given? Under whose superintendence were the *Lenæa*? Who conducted the great Dionysia?

291. In whose honour were the *Theomophoria* held? When and how often? In whose honour were the *Eleusinia* held? What purpose did the lesser serve? When and where were they held? When, how often, and how long were the greater *Eleusinia* held? Explain *μυσταί*, *ἰστέται*, *ἱεροφάνται*, *λαγχάζειν*.

292. Mention some priesthoods that were confined to certain sacerdotal families? What was it requisite that all priests should be? How were these particulars ascertained? How were they generally elected? Was the time of their continuance in office invariable? What did their duties consist in? To whom did they account for the Temple-revenues?

293. What did the priests themselves receive? Did they bear the usual burdens in common with their fellow-citizens? With what religious solemnities was the king intrusted? With what the Archon? Name some other officers employed in matters relating to public worship.

294. Did the general belief in the national deities remain unimpaired? To what was religious worship finally degraded? What temporal advantage did the poor derive from it?

295. By the constitution of Solon, what classes were required to serve as soldiers? How were these classes selected? How did the Thetes serve? What duties did the *Metæci* perform? Were slaves ever employed in war? In later times how do we often find the Thetes and the *Metæci* serving? 296. What service belonged to citizens from their eighteenth to their twentieth year? What was the regular period of service? Was the maximum age invariable? On what was the levy founded? How were the soldiers distributed? When did the soldiers first receive pay? Was it a *fixed* pay? What was the usual pay of common soldiers? 297. what of officers? what of cavalry? what of the commander-in-chief? Did the soldiers forage for themselves? When did the state supply all sorts of provisions? What arrangement was generally made with respect to the pay of the army?

298. Explain the term *Hoplites*, and their *πανοπλία*. What were the light-armed called? Who first organized the *παιτασταί*? What were their arms? When did Athens begin to maintain a *standing army*? How large was it at first? What increase did it afterwards receive? Explain the term *κατάσταςις*. What mercenary light troops were employed in the Peloponnesian war? At a later period were mercenary troops commonly employed?

299. How many *Stratægi* were there? how elected? What qualification must the *Stratægi* possess? Did *all* or *some* take the field? If the command was divided, describe how. Were armies ever commanded

thenes with respect to Trierarchs? How long did a Trierarch continue? To whom was account rendered? Were Trierarchies sometimes undertaken voluntarily?

328. Who were exempted from Liturgies? What was no citizen required to undertake? Were the Metæci liable to Liturgies?

329. Who exercised the chief control over the finances? Explain the office, &c., of the *πράκτορες, πωληταί, ἀποδέκται*. Explain the original and later office of the *πωλακρίται* (note 3). 330. Into what office were the moneys received paid? Explain *ταμίαι τῆς θεοῦ*. By whom were disbursements made latterly? Who checked his accounts? 331. Were there any separate funds set apart for the purpose of religious worship? Were any other sources of income available for this purpose? Where and by whom were these funds kept after B. C. 420?

332, 333. What was the general character of the Attic silver coinage?

What part of a *μυᾶ* was a *δραχμή*?

How many *oboli* did a drachma contain?

What was a *three-oboli* piece called?

What was a *half-obolus* piece called?

How many *χαλκοί* did an *obolus* contain?

How many *λεπτά* did a *chalchūs* contain?

What was a *two-chalcus* piece called?

What was the Tetradrachmon also called? How many Minæ made a Talent? Were the Talent and Mina coins? Were there any silver coins of the same value as the *chalcus*, &c.? What were their gold coins? How many *drachmæ* did a *stater* equal (1) in *weight*, (2) in *value*? What had the same weight and value as the Stater? Had individual Demi the right of coining money? What proportion did the Æginetan standard of weights and coinage bear to the Attic standard? What proportion did the Eubolic talent bear to that of Solon? How was it used in later times?

334. What was the general difference between the private life of the Spartans and Athenians?

335. Was the soil of Attica remarkable for its fertility? What were its chief products? To what were the mountain districts favourable? To what the coasts? From whence was corn imported every year? What were their other imports? What was imported from Pontus, Macedonia, Thrace? From what country were the more generous wines imported? What were the exports?

336. What greatly promoted the trade of Attica? Was exportation permitted unconditionally or not? What might not be sent out of Attica at all? Might weapons be exported unconditionally? By what were commercial restrictions often occasioned? Was the buying up of corn ever restricted? 337. Explain *κάπηλοι*. How were they regarded? What artisans raised themselves to power through the democratic constitution? Who especially favoured manufacturing industry? Were all trades open to Metæci?

338. From whom do the Hellēnes seem originally to have derived their scale of weights and measures?

How many *παλαισταί* made a foot?

How many *δάκτυλοι* made a *παλαιστής*?

How many *δάκτυλοι* made a *σπιθαμή*?

How was the *Cubit* or *Ell* subdivided? How was the *πυγών* subdivided?

How many feet did the *δρῶν* contain? How many the *πλῆθρον*? How many *superficial* square feet did the *πλῆθρον* contain? How many Roman feet did the *στάδιον* contain? When did the *stadion* begin to be generally used as a measure of length for the greater distances?

339. What part of a *μέδιμνος* was *μετρητής*?

What part of a *Metrētes* was a *χοῦς* (*congius*)?

What part of a *Chus* was a *ξίστης* (*sextarius*)?

What part of a *Xestes* was a *κοτύλη* (*hemina*)?

What part of a *Cotyle* was a *τέταρτον*?

What part of a *Tetarton* was an *ὀξύβαφον*?

What part of a *Oxybaphon* was a *κύαθος*?

340. What was the principal measure for dry goods?

What part of a *Medimnus* was a *ἐκστές*?

What part of a *Hekteus* was a *ἡμικτεν*?

What part of a *Hemiekton* was a *χοῖνιξ*?

What part of a *Chcenix* was a *ξίστης*?

What part of a *Xestes* was a *κοτύλη*?

What part of a *Cotyle* was a *κύαθος*?

341. Was the Attic year solar or lunar? Did this agree with the practice of all the Hellenic states? What was the number of days in each month? Explain *μήνες κοῖλοι* and *πλήρεις*. Explain *μὴν ἐμβόλιμος* or *ἐμβόληματος*, and the reason why it was necessary. What different cycles were invented for the intercalation? 342. Who published the first calendar? when? What period did he invent? By this method how many months were intercalated in nineteen years? In which of the nineteen years was the intercalation made? How many days would his cycle of nineteen years give? How many *too many* would this be? What day was left out as a *ἡμέρα ἐξαιρέσιμος*? What effect had this upon *μήνες κοῖλοι* and *πλήρεις*? Who especially introduced other changes?

343. Give the names of the three summer months. To what English month did *Hecatombæon* nearly correspond? Name the autumn months. Name the winter months. Name the spring months. 344. In the intercalary year, where was a month intercalated? How was each Attic month divided? What was the first day of the month called? How were the following days of the first decade reckoned? What would the *fourth of Hecatombæon* be called? How were the days of the second decade reckoned? how those of the third? How were the days of the last decade more commonly reckoned? When did the Attic civil year begin?¹

¹ We here add, from Passow, a complete table of the Days.

FIRST DECADE.

1	νοσηνία	} ἱσταμένου μηνός
2	δευτέρα	
3	τρίτη	
4	τετάρτη	
5	πέμπτη	
6	ἕκτη	
7	ἑβδόμη	
8	ὀγδόη	
9	ἐνάτη	
10	δεκάτη	

SECOND DECADE.

11	πρώτη	} μεσοῦντες μηνός or ἐπὶ δεκάδι
12	δευτέρα	
13	τρίτη	
14	τετάρτη	
15	πέμπτη	
16	ἕκτη	
17	ἑβδόμη	
18	ὀγδόη	
19	ἐνάτη	
20	εἰκάς	

345. Did the state interfere much or little with the discipline of youth? What was generally the name of the first born? ² Explain *πατρόθεν ὀνομάζειν*. What was the official designation? In what did the education of children in the poorer classes consist? What did a liberal education comprehend? 346. To whom was the special superintendence of the children committed? Till what age were they always accompanied by the *παιδαγωγός*? When did instruction in grammar begin? Explain *γράμματα διδάσκειν*. For these exercises what authors were generally used?

347. When were the boys sent to a Citharistes? What did they learn of him? What did they learn in the Gymnasia? Who superintended education? Who were the *σωφρονισταί*? Were slaves allowed to take part in the exercises of the Gymnasia?

348. How long did their instruction in music and grammar last? Where were the two last of these years chiefly spent? How were the youths employed when they had passed through the Gymnasia? As the circle of education became wider, what did many learn in the gymnastic school? By what was Music followed? Were the terms of celebrated Sophists and Rhetoricians moderate or not? 349. What promoted the advance of education? Who awakened a taste for the fine arts? By what was it developed? For what were the Athenians distinguished? Into what did their inquisitiveness and love of discussion often degenerate?

350. How was the education of girls conducted? At what did it aim? What kind of life did girls lead? Did they ever visit the theatres? Did they generally marry early? What was it considered unbecoming for them to trouble themselves about? To whose inspection were they subject? Was this an ancient office? Was the free intercourse between the sexes, enjoyed in our days, known to the Athenians?

351. What entertainments of a public character have been already mentioned? Explain *ξρανοί, συμβολαί*. What were the usual daily meals? When did luxury extend itself to the table? 352. Mention some attempts to restrain extravagance and luxury by legislative enact-

THIRD DECADE.

(I.) Reckoned *forwards* (rare).

21	πρώτη	} ἐπὶ εἰκάδι.
22	δευτέρα	
23	τρίτη	
24	τετάρτη	
25	πέμπτη	
26	ἕκτη	
27	ἑβδόμη	
28	ὀγδόη	
29	ἐνάτη	
30	τριακᾶς	

(II.) Reckoned *backwards*.

21	δεκάτη	} φθίνοντος (ὅτ' παυμένον) μηνός.
22	ἐνάτη	
23	ὀγδόη	
24	ἑβδόμη	
25	ἕκτη	
26	πέμπτη	
27	τετάρτη	
28	τρίτη	
29	δευτέρα	
30	ἐνὴ καὶ γὰ	

In a *μὴν κοῖλος* the 29th was the *ἐνὴ καὶ νῆα*: and each preceding day one *less* than the number in the table; e. g. the 21st, *ἐνάτη φθίνοντος*; the 28th, *δευτέρα φθίνοντος*.

* Thus: *Ἰππόνικος Καλλίου καὶ Ἰππονίκου Καλλίας*. (*Aristoph.*)

ments. What was the success of these attempts? At their banquets what was the *position* of the guests? Explain *δείπνον* *προσίμιον*, *κεφαλὴ δειπνῶν*; *ἐπιδόρπιον* or *μεταδόρπια*; *δεύτεραι τράπεζαι*, *τραγήματα*. Were *Symposia* (when there were any) a *part* of the *δείπνον*? 353. Where was the best wine brought from? How was it generally drunk? Who was termed *συμπόσιάρχος*? Describe the *company dress* for a symposium. By what besides conversation were the guests amused? What was done after supper? What was the favourite game of all? Describe it² (note 9). Did the women of the family take any part in these entertainments?

354. What was the old Ionic costume? By what was this displaced? Explain *ἱζώμις*, *ἱμάτιον*. What was the difference between *χλαῖνα* and *χλαρίς*. 355. What particular sort of surcoat did the Ephēbi wear? When only did men wear any thing on their heads? Who wore the *πίττας* on their journeys? What did the Greeks wear on their feet? What variety of sandals or soles do we read of? Of what were the women's garments made?

356, 357. Where did the Athenian men spend most of their time? What was the time called about which the *Agora* began to be full? About what time was this? Explain *ἐκίππα*, *σκέπη*, *ὑπερῶν*, *πρόθυρον*, *περίσθλον*, *ἀνδρωνίτις*, *γυναικωνίτις*, *μέσαυλος*. What was the company or eating-room called? what the bed-chambers? what the *spare-rooms* for guests? What is the difference between *κροῦειν* or *κόπτειν* and *ψοφεῖν*. Was Athens handsomely built? How many houses did it contain?

358. Explain *τὰ δίκαια*, *τὰ νόμιμα*. What were those who found dead bodies, required to do? On whom was the duty of burying dead bodies, found and unowned, imposed from the time of Clisthenes? Describe the funeral ceremonies. Explain *προτίθεσθαι*, *ἀρδάνιον*, *θρηνηδοί*, *κατεν*, *καταρύττειν*, *περιδείπνον*. What is Solon said to have restricted? 359. Was the usual way of disposing of a corpse *interment* or *burning*: *either*? *which*? or *both*? Whose funeral rites were celebrated with especial magnificence? Were there public burial-grounds near the city? When was a general festival in honour of the dead celebrated?

360, 361. What were the great national solemnities or games? Who were excluded from these festivals? Explain *πανηγύρεις*. What later festival bore a national character?

² The simplest mode was when each threw the wine left in his cup so as to strike smartly in a metal basin, at the same time invoking his mistress's name; if all fell in the basin, and the sound was clear, it was a sign he stood well with her; cf. Call. Fr. 102. *The wine thus thrown* was called *λάραγες* or *λαραγή*, and also, like the game itself, *κότταβος*. *The basin*, *κοτταβείον*, *λαραγείον*, &c., also called *κότταβος*. The game soon became more complicated, and was played in various ways. Sometimes a number of little cups (*ὀξύβαφα*) were set floating, and he who threw his *κότταβος* so as to upset the greatest number in a given number of throws, won the prize (*κοτταβείον*). Sometimes the wine was thrown upon a scale (*πλάστιγγή*) suspended over a little image (*μάνης* or *γέρων*) placed in water; here the *κότταβος* was to be thrown, so as to make the scale descend on the head of the image.—*From Liddell and Scott*.

362. What was the supposed origin of the Olympic games? Are they mentioned by Homer? By whom and when were they revived? What year B. C. agrees with the first Olympiad? Who was victor in the *stadion* that year? (note 8.) In whose honour were the games held? how often? how long? where? 363. Who were the managers of the games? Explain the Olympic *επιχειρία* and *σπονδαί*. Explain *ιερομηνία*. What privilege was granted to those who were present at the festival, or on their way to join it? What privilege did the Eleans originally possess? What were the judges called? By whom appointed? Was there an appeal from their decisions? What qualifications did the *Hellandotica* require in the combatants? 364. What oath did they administer to the combatants? What were the functionaries called, who kept order during the games? When were the Olympic games finally suppressed?

365. Who was the legendary founder of the Pythian games? When did they become *δύωες στεφανύται*? When were they placed under the protection of the Amphictyons? How often were they celebrated? Where were they held?

366. To whom is the institution of the Nemean games ascribed by tradition? Where and how often were they celebrated?

367. Who were the legendary founders of the Isthmian games? Who revived them? Who had the *προεδρία* at these games? When and how often were they held?

368. In what did the gymnastic and hippic contests consist at these games? Describe the various kinds of *δρόμος*. Explain the *πάλη*: the *πυγμή* (with the word *ιμάντες*): the *δίσκος*: *ἄλμα* (with term *ἀλτήρες*). 369. Explain *παγκράτιον*. Of what did the *πένταθλον* consist? Distinguish between *ἵππος κέλης*, *συνωρίς*, *τίθριππον*, and between *πῶλοι* and *τέλειοι*. What was a *ἄρμα τέλειον* required to do? 370. On whom was the honour of victory conferred? Of what did the musical games consist originally? What exhibitions were afterwards introduced? Distinguish *κριταί* from *βραβεύται*.

371. To which games were musical contests principally confined? Of what did the solemnities connected with these sports principally consist? Explain *θεωροί*, *ιερονίκαί*, *Ὀλυμπιονίκαί*, *Πυθιονίκαί*. 372. What was the Olympic crown of victory? what the Pythian? the Nemean? the Isthmian? How were the victors honoured? What *national* honours did they receive? What was a part of their reward in Athens? What honour had they in Sparta? Explain *ἐπινίκια*.

373. Were the modes of reckoning time, weights, measures, and coinage the same throughout Greece? How was the year generally named? how at Athens? how at Sparta? What general system of chronological reckoning was finally adopted? 374. How does Thucydides sometimes indicate the dates of events? Who seems to have been the first who regularly employed the Olympic list as a chronicle? when? Who is the oldest *extant* historian, whose writings contain such an arrangement of events? In what affairs was the reckoning by Olympiads *not* used?

375. When were the Olympic games held? What was *nearly* the beginning of the Olympic year? How do you find the year of the Christian era which corresponds to a given Olympic year 376 (A) for an event

that happened between July 1 and January 1? 377. (B) How for an event that happened between January 1 and July 1?

378, 379. What individuals or families were considered able to interpret the will of the gods? Mention some *places*, which were supposed to be favoured by the immediate presence of the divinity? Describe the oracle of *Dodona*, its priests, responses, &c.

380. What was the most renowned oracle of Greece? From what did it derive its name? To what did it principally owe its celebrity?

381. How did it acquire great wealth? Under whose protection was it? Why was the oracle of Delphi called *ἀμφαλὸς τῆς γῆς*? 382. By whom was the highest degree of respect paid to this oracle? Why did the Lacedæmonians never undertake any affair of importance without applying to this oracle? Had it any influence at Athens?

383. Account for the gradual decline of the Delphic oracle? Explain the phrase *Πυθία φιλιππίζουσα*. Who is the last person of whom we hear as consulting the Delphic oracle?

384. Explain *τρίπους*, *ἔλμος*, *Πυθία*. Explain *προφήτης*, and *Ἀπόλλων λοξίας*. 385. How often were the oracles delivered? Explain *δοιοί*, *προφῆται*, *περιγγραφαί*, *πρόσκαλοι γυναῖκες*.

386. Mention some other oracles. How were responses received in the temple of *Amphiaräus*? What foreign oracle did the Greeks themselves sometimes consult? Name some other modes of obtaining counsel and information respecting future events. (See note 8.)

387. Explain *ἀμφικτυονία*.

388. What was the most renowned *Amphictyonia*? From what did the ancients derive the name? In what light must Hellen be considered?

389. Who were the members of the *Amphictyonic league*? How long did they *nominally* retain the same privileges? What were the objects of the league? What were *not* its objects?

390. In what instances was its efficiency shown? How did Philip of Macedon and others employ the league? Did the *Amphictyonia* survive the subjection of Greece to the Romans?

391. What were the sanctuaries of the *Amphictyons*? In each year how many *Amphictyonic meetings* were there? where held? What was the number of votes? What were the deputies styled? Were the *Amphictyonic meetings* accompanied by any others?

392, 393. Mention some small confederations. What was the commander-in-chief of the league between the *Phocians* and *Thessalians* called?

394. Who were at the head of the *Bœotian confederation*? How were the other states treated by the *Thebans*? 395. What *Bœotian state* played for a short time an important part in the affairs of Greece? under whom? Give an instance of the subsequent weakness of *Thebes*. By whom were the *Thebans* deprived for ever of their power?

396. What twelve cities had formed a league from the oldest times? when was it dissolved? when revived? Under whom did this league become for a time extremely powerful? By what struggles was it weakened? 397. By whom were the *Achæans* defeated? How did the *Romans* treat them? When did *Achæa* become a Roman province?

398. When and how often were the meetings of the *Achæan league* held? Who were their principal officers? How long did they continue

in office? Was each city independent? What was invariably their object?

399. What league proved the most dangerous enemy of the Macedonians? What league did they form *with*, and what *against* the Romans? What was the result of their league *against* them?

400. Describe the constitution of the Ætolian league. Where were their greater meetings held? Who was the highest officer of the league? Of what other officers is mention made? What was its constitution?

401. Explain *ἡγεμονία*. What state first exercised *ἡγεμονία*? In the confederation against Xerxes, who assumed the command? Where did the deputies meet at the beginning of the Persian war? After the battle of Mycæle who were also comprised in this league?

402. To what state was Sparta soon compelled to cede the *Hegemonia* by sea? when? What state at a later period set up a *Hegemonia* in opposition to that of Sparta? What cities, islands, &c., obeyed *this* *Hegemonia*? How did Athens exercise her power? 403. At what were the *φόροι* originally fixed by Aristides? Where were they kept? Explain *ἑλληνοραμίαι*. By what voluntary proposal of the allied states was the power of Athens greatly increased? When was the treasury removed from Delos to Athens? When was the tribute increased?

404. From what did the Peloponnesian war arise? In what years did it *begin* and *end*? How was Athens again enabled to raise herself to power? Did the peace of Antalcidas effect any essential change in the power of Athens? 405. Did the *new-born* justice and mildness of Athens last long? Date the war of the confederate states. What state for a time claimed hegemonical authority? When did Philip of Macedon assume the *Hegemonia*? What power at last swallowed up both the contending parties?

406. To what may the establishment of Grecian colonies be traced back? Who is said to have led colonies from Boeotia to Lesbos, Tenedos, &c.? How did it happen that the Ionians had sought refuge in Attica?

407. Under *whom* and *where* did they found colonies? What *islands* did they colonize? Explain *Πανιώνια*. By which of these colonies especially were minor colonies founded? Where? What Dorian colonies were formed? What were their parent states? Where did they settle? In what Temple did their league assemble?

408. By whom was Magna Græcia colonized at an early period? What was the most ancient Eubœan colony in Italy? Mention some Eubœan colonies in *Greece*. By what states or cities were Syracuse, Gela, Agrigentum, Corcyra, Byzantium, Massilia, Cyrène, respectively founded?

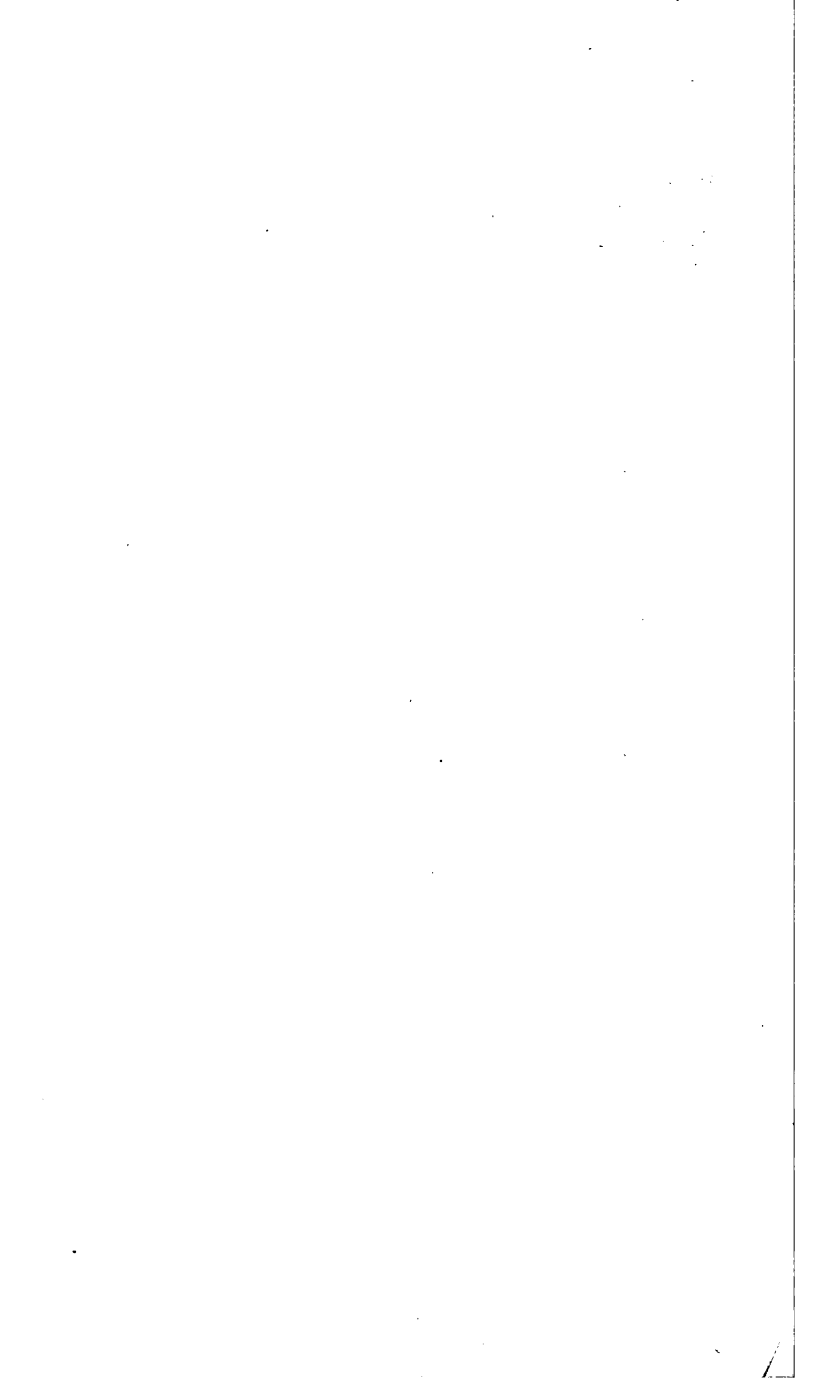
409. What caused the establishment of most of the Grecian colonies? Was colonization in the Grecian states a government measure? If so, for what *end*?

410. Describe the mode of sending out colonies. Describe their relation to the mother country. Explain *θεοπλάι*. Mention an instance of the filial regard of even independent colonies for their mother-state.

411. What form of constitution was generally prevalent in the period of active colonization? What spirit was soon awakened? By what causes? 412. What struggles ensued? Where and *by whom* were

wholesome laws passed? Where did the doctrines of Pythagoras occasion political revolutions? What was their *nature*? what their *duration*?

413. Distinguish between colonization and κληρονομαί. If the conquered inhabitants were not expelled, to what kinds of treatment were they subjected?



A MANUAL
OF
ROMAN ANTIQUITIES,

WITH A SHORT
HISTORY OF ROMAN LITERATURE,

BY
DR. E. F. BOJESEN,
PROFESSOR OF THE GREEK LANGUAGE AND LITERATURE
IN THE UNIVERSITY OF SORO.

TRANSLATED FROM THE GERMAN.

Edited
(WITH OCCASIONAL NOTES, AND A COMPLETE SERIES OF QUESTIONS)

BY THE
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ADVERTISEMENT.

A HIGH character of the present volume, extracted from a review of it by *Dr. Osenbrüggen*, will be found in the preface to the "*Manual of Grecian Antiquities*." For the translation of both volumes I have to thank the Rev. R. B. Paul, late Fellow of Exeter College, Oxford; the author of a more extensive work than Dr. Bojesen's, upon "*Grecian Antiquities*," and of a "*History of Germany, on the plan of Mrs. Markham's Histories*."

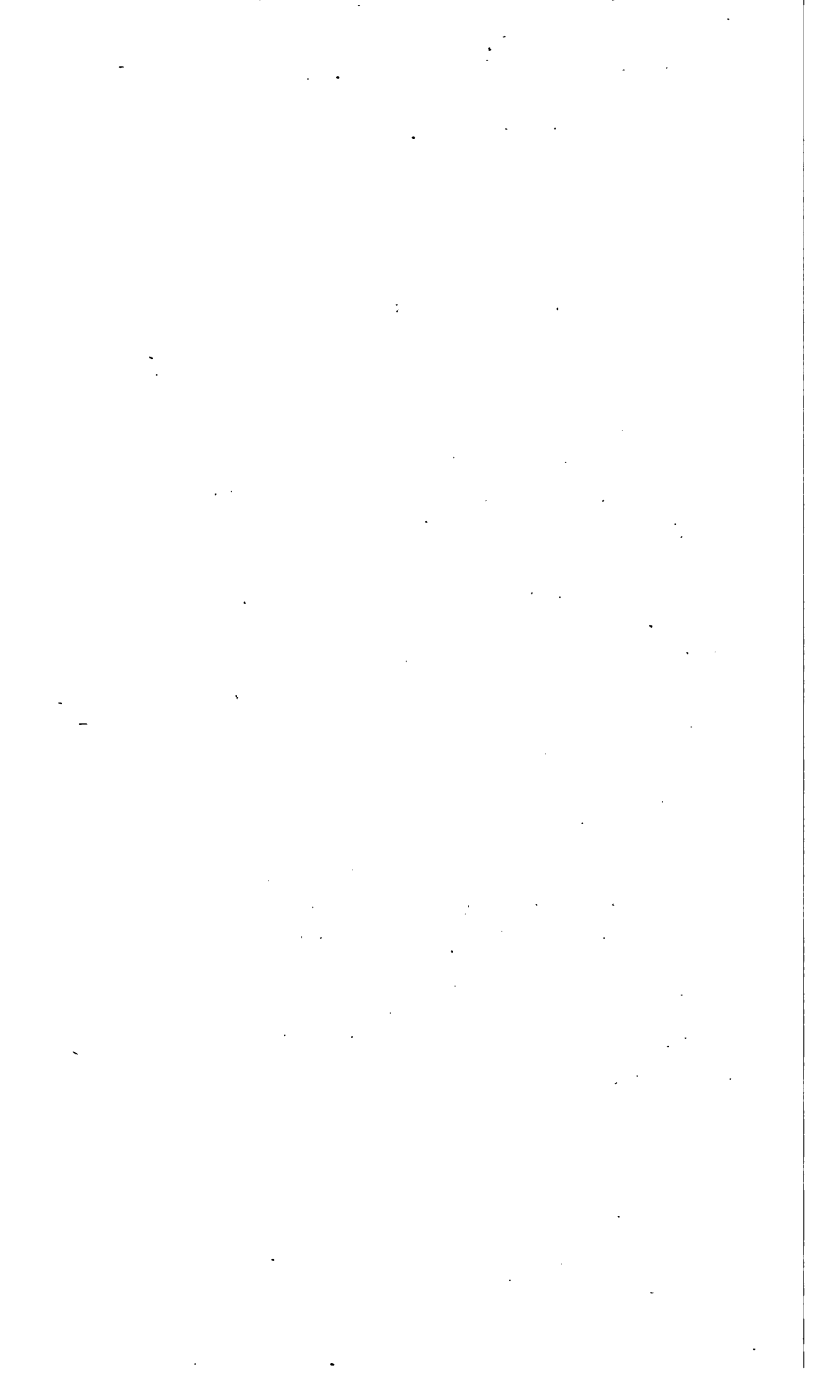
T. K. A.

LYNDOF, January 25, 1848.

It will be sufficient here to state that the same course has been pursued with the present Manual which was adopted with regard to the "*Manual of Grecian Antiquities*." Its value will be found fully equal to the high opinions which have been expressed concerning it.

J. A. S.

NEW-YORK, May, 1848.



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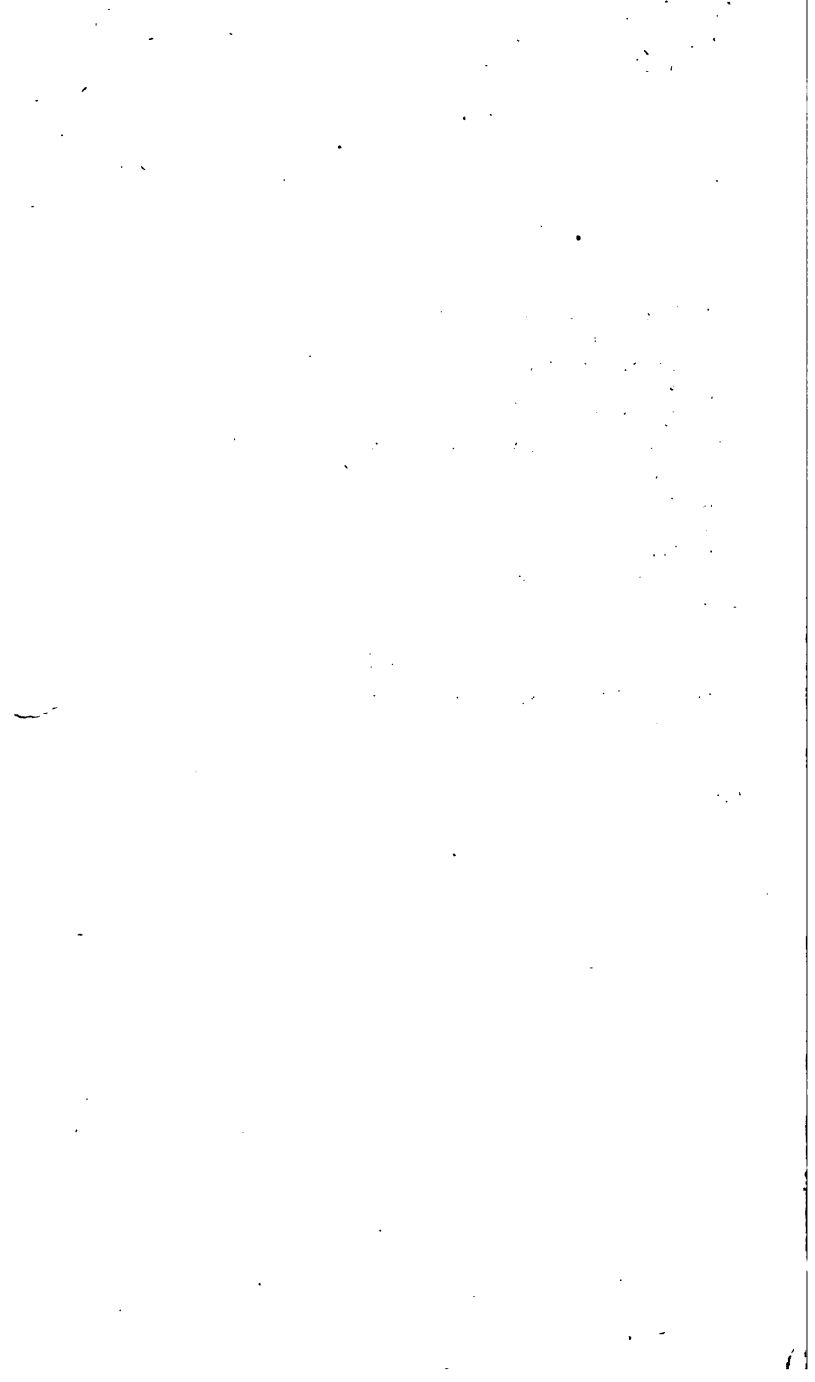
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MANUAL OF ROMAN ANTIQUITIES.

INTRODUCTION.

§ 1. *Roman Antiquities.—Sources of Information.*

1. By the term "Roman Antiquities," we understand such a representation of the public and private life of the ancient Romans as may be collected from the ancient authors, especially the historians, orators, and grammarians, or from inscriptions,¹ coins, and other remains of antiquity. These authorities, however, must be used with caution; for the descriptions of a remote period which we find in historians, often receive a colouring from the notions of more modern days, whilst their judgment of times nearer to those in which they wrote is seldom impartial. 2. The Greek historians² have also here and there misunderstood Roman peculiarities, and the orators, viewing only one side of a question, or hurried away by the torrent of their declamation, have all more or less failed to give

¹ Pelasgian inscriptions, written in a character clearly distinguishable from the Etruscan, have been discovered very recently at Agylla or Caere. And the study and comparison of the several Indo-Germanic languages is making such progress, that if any fortunate discovery comes in to the aid of it, we may hope to see the mystery of the Etruscan inscriptions at length unravelled.—*Dr. Arnold.*

² The Grecian writers from whose works the most important information may be derived respecting Roman antiquities, are, Polybius, Diodorus Siculus, Dionysius Halicarnassensis, Plutarch, Appian, Dio Cassius and the epitomizer Zonaras.

us a candid and accurate description of events. Lastly, the remaining sources of information are often corrupted or falsified by the forgeries of modern times. Much critical circumspection is therefore necessary, if we desire to compile such an account as may safely be relied on.

§ 2. *Relation of the subject to Political History.*

3. The public and private life of Rome being necessarily presented to us in its historical development, there will of course be an intimate connexion between the science which we name Archæology and political history. It must, however, be remembered that the real objects of its research are the peculiarities of public and domestic life, external events and remarkable personages being touched on only in so far as they are connected with those peculiarities.

EXTENT OF THE ROMAN EMPIRE,—TOPOGRAPHY OF ROME

§ 1. *Extent of the Roman Empire*

4. The empire of Rome was at first limited to the city and its immediate environs, but gradually extended itself, until (in the year B. C. 266) the whole of Italy was subject to its power ; and those great wars began, which extended the dominion of the Romans over such portions of the three quarters of the globe, as border on the Mediterranean sea ; so that at the dissolution of the republic, their empire was bounded on the north by the Danube and the Rhine, on the south by the deserts of Africa, on the west by the Atlantic, and on the east by the river Euphrates. Under the emperors the limits were still further enlarged. In this widely extended empire all the administrative authority was derived from Rome ; and in the time of the republic, the actual participation of Roman citizens in the affairs of government, was dependent on residence in the cap-

ital, to which all of them were supposed to have originally belonged.

§ 2. *Topography of Rome.*

5. Rome lay on the banks of the Tiber, 16,000 *passus* from the sea. It was founded on the Palatine hill, but even in the time of the kings, the hills nearest to the Palatine were taken in. Servius Tullius is said to have surrounded all the seven with a wall. The names of these hills were the *Palatinus*, *Capitolinus*, *Cælius*, *Aventinus*, *Esquilinus*, *Viminalis*, and *Quirinalis*. The emperor Aurelian fortified the city anew, including within the walls the *collis hortulorum*, and the *Janiculum* and *mons Vaticanus* on the other side of the river. The *pomærium*, or open space within and without the walls which marked the sacred boundaries of the city, was enlarged by Servius Tullius, at a later period by Sulla, and frequently afterwards by the Emperors. Servius Tullius divided the city into four sections (*tribus*), viz.: *Palatina*, *Suburrana*, *Collina*, and *Esquilina*. This number was afterwards increased by Augustus to fourteen, which were styled *regiones*. 6. Originally the city was simple, and even when it was rebuilt, after being laid in ashes by the Gauls, there was very little attempt at decoration. At a later period, however, when the citizens had become richer, and an acquaintance with Grecian taste and the plundering of foreign works of art had excited a passion for the beautiful, attention began to be paid to embellishment. In the time of Augustus many important buildings were erected; and after the conflagration in the reign of Nero (A. D. 64), the city was restored on a scale of great magnificence. Many years later, during the time of the northern invasion, it was so completely laid waste, that little is now visible beyond the ruins of its former grandeur.

§ 3. *The subject continued.*

7. Among the most remarkable objects may be mentioned the *portæ*, (e. g. the *Capena*, *Collina*, *Tri-*

umphalis); the *pontes* (*Sublicius*, *Mulvius*); the *viæ* (e. g. the *via sacra*, *via triumphalis*, *via Appia*, constructed by Appius Claudius Cæcus, B. C. 312, from Rome to Capua, and afterwards continued to Brundisium; on this road the distances were marked by stones, *lapides*, which stood at intervals of 1000 *passus*: and the *via Flaminia* over the *pons Mulvius*, leading to Etruria); the *fora* (e. g. the *forum Romanum* between the Capitoline and Palatine hills); the *campi* (as the *Campus Martius*, outside the city, on the banks of the Tiber, which originally belonged to the Tarquins, but was afterwards used for public assemblies and gymnastic exercises; the *temple* (e. g. *Jovis Feretrii*, *Statoris*, *Capitolini*; *Vestæ*; *ædes Concordiæ*, *templum Apollonis Palatini*, *Pantheon*); the *theatra* (e. g. that of *Pompey*, which was the first theatre built of stone; and that of *Marcellus*); the *amphitheatra* (as that of *Vespasian* or the *Colossæum*); the *circi* (as the *circus Maximus*, the *circus Flaminius*); the *curiæ* (e. g. the *Hostilia* in the *forum*); the *porticus*, *basiliçæ*, *thermæ*, *aquæductus* or *aquæ*, *clouçæ*, *arcus*, *columnæ*, &c. Of these edifices there still remain some ruins and fragments, for instance, of the Colosseum or amphitheatre of Vespasian, of Hadrian's Mausoleum, the *columna rostrata*, Trajan's pillar, baths, fragments of the Appian Way, &c.

HISTORY OF THE ROMAN CONSTITUTION.

§ 1. *The Origin of Rome.*

8. Italy, at the period when Rome was founded, was inhabited by a variety of races. Between the right bank of the Tiber and the Rhætian Alps dwelt the Etrurians, who at a very early period were a civilized and powerful nation. Between the left bank and the *Mare Superum*, were the Umbri, and lower down some Sabine tribes; south of the Tiber were the Osci, and at the lowest extremity of Italy, several Grecian

colonies. One of the clans (the Latini) settled on the Tiber, and formed a confederation of several petty states.³ From this Latin nation sprang, according to ancient historians, the city of Rome, which was founded, as the legend relates, by Romulus on the Palatine hill about the year B. C. 752,⁴ or 753.⁵ 9. The remote history of the city is very obscure, the notices of the old writers being either fabulous, or worthy of little credit for other reasons, and frequently mere pictures copied from the events of more recent times.⁶ Thus much, however, may be collected, that the Roman state was limited in the beginning to the city and its immediate neighbourhood; that originally, so far from maintaining a close relation with the surrounding tribes, it occupied an independent and often hostile position, and that it rapidly acquired internal strength by means of a settled form of government, borrowed in part from the Etrurian and other neighbouring states, and an increased population through immigrations and conquests. 10. At an early period we find the Roman people divided into three tribes (*tribus*) *Ramnes* or

³ Niebhuhr supposes it to have consisted of the Osci, Sacrani, Casci or Prisci, who had overthrown the Pelasgian tribes on the banks of the Tiber.

⁴ *Æra Catoniana.*

⁵ *Æra Varronianæ.*

⁶ The only manner in which we can derive any historical results from national legends, if they have any historical basis (as they have in almost all cases), is to receive them just as they are handed down to us; not altering or modifying them in any way, but looking steadily at what they state as facts, as well as what they teach us by implication. It may, indeed, happen that not one of the facts stated is of any historical value; but we frequently catch a glimpse of the state of things in regard to the political, social, and religious life of the times to which the traditions refer, and this is preëminently the case in early Roman history. It is, indeed, impossible either to assert or to deny whether Romulus and Remus are historical personages or not; whether Romulus actually did build Rome, or whether he really was the founder of the institutions ascribed to him; but with regard to the questions as to what Rome was before the dawn of her historical period, how she grew out of her cradle, and what her polite and social institutions were, a great deal of information may be gleaned from the traditions. Great assistance may also be derived from the institutions of later times; for their principles remained, on the whole, the same, and the changes they experienced were only the results of a natural progress and development.—*Schmitz.*

Ramnenses, *Tities* and *Lucères*. The origin of these tribes was no doubt different, nor do they seem to have been in the first place united; the last of them especially appears to have joined the other two at a later period. From this stock sprang in all probability the first inhabitants of Rome, with full political rights (*patricii*), and in close connexion with them were a number of citizens who had been subjugated in ancient times (*clientes*). 11. On the other hand we find a crowd of inferior citizens arising from, and gradually increased by, immigrations and conquests (*plebeii*). These citizens were excluded from the Senate and from offices of state, had no voice at the public assemblies, and could not even contract valid marriages with the families of Patricians. This abrupt separation of the two estates, one of which was entirely excluded from political power, will be more intelligible, if we regard the original relation of the Patricians to the Plebeians as that which the conqueror bears to the conquered, or established citizens to foreign settlers, than if, with the ancient writers, we suppose the class of Patricians to have originated in a mere capricious election.

§ 2. *Period of the Kings.*

12. Rome at the beginning was governed by Kings, chosen for life, but with limited powers. They were the highest executive and judicial authority, were intrusted with the command of the army in war, and conducted part of the public worship,⁷ but shared their power with the Senate or chosen representatives of the Patrician order (*Senatus*), and the General Assembly of the people (*Comitia curiata*). The history of these kings, as it has been handed down to us by Roman authors, contains, amidst all its obscurity and poetical embellishments, many actual facts, and exhibits the existence, at an early period, of that peculiar char-

⁷ "The King . . . was the priest who offered sacrifices for the nation." (Niebuhr.)

acter, which was always borne by the Roman people.*

13. Thus we already discover a talent for military command, and an eager desire of aggrandizement through the annihilation of conquered nations, or their incorporation, as tributaries, into the Roman empire, or through the establishment of colonies (Romulus, Tullus Hostilius, Ancus, the Tarquins, Servius Tullius, the military division of the people), a disposition to settle the mutual relations of citizens by laws and established regulations (Romulus, Servius Tullius), respect for property, and political regard to a pecuniary qualification (Servius Tullius); reverence for religion, and a recognition of its influence in the establishment of civil order (Numa Pompilius, Ancus Marcius; a taste for handsome and durable public buildings, in anticipation, as it were, of the future greatness of their city (the Tarquins). 14. The most important of all their political changes under the Kings, was the division by Servius Tullius of the citizens, according to their property, into classes and centuries (*Comitia centuriata*), by means of which the first step was taken towards filling up the gulf between the two orders of Roman citizens, and some political consideration given to the Plebeians in a constitution, which provided that the burdens of war and taxation should be shared amongst the wealthier citizens, but accorded to them at the same time the chief influence in all affairs of government.

§ 3. *From the beginning of the Republic to the Decemviri.*

15. *In the year B. C. 509, the monarchy was ex-

* Cf. Arnold's *Hist. of Rome*, Appleton's Am. Edit. vol. i. pp. 38-74; Schmitz, pp. 31-80.

* We are told that within ten years of the first institution of the Consuls, the burghers found it necessary to create a single magistrate with powers still more absolute, who was to exercise the full sovereignty of a king, and even without that single check to which the kings of Rome had been subjected. The Master of the people, that is, of the burghers, or, as he was otherwise called, the Dictator, was appointed, it is true, for six

changed for a republican constitution under the two Consuls, chosen yearly. This transfer of the limited kingly power to the Consuls, can hardly be considered a total change in the form of the constitution. It was, however, only natural that the Senate as a permanent body (whereas the Consuls were perpetually changed), and the *Comitia centuriata*, which now became annual Assemblies for the election of the Consuls, should gradually become more and more influential. The sharp distinction of ranks still continued. The people, excluded from the enjoyment of the *ager publicus* (i. e. of the lands obtained by conquest, which might be granted by the state to individuals in return for a certain payment), and forced to content itself with insignificant allotments, became more and more indebted to the rich Patricians. 16. The burden, however, at last became too heavy for the Plebeians, whose number was steadily increasing, whilst the exclusive class of Patricians gradually diminished; and we find them engaged in contests with the Patricians, through which, in after years, amidst their continual wars with neighbouring nations, the constitution of Rome was gradually developed. The most important step towards

months only; and therefore liable, like the Consuls, to be arraigned after the expiration of his office, for any acts of tyranny which he might have committed during its continuance. But whilst he retained his office he was as absolute within the walls of the city, as the Consuls were without them; neither commoners nor burghers had any right to appeal from his sentence, although the latter had enjoyed this protection in the times of the monarchy. This last circumstance seems to prove that the original appointment of the Dictator was a measure of precaution against a party among the burghers themselves, rather than against the commons; and gives a probability to that tradition which Livy slighted, namely, that the Consuls, who were for the first time superseded by "the Master of the burghers," were inclined to favour the return of the exiled king. It is not likely that they were the only Romans so disposed: and if a strong minority amongst the burghers themselves, and probably a large portion of the commons, were known to favour the restoration of the old government, it is very intelligible that the majority of the burghers should have resolved to strengthen the actual government, and to appoint an officer who might summarily punish all conspirators of whatever rank, whether belonging to the commons or to the burghers.—Arnold's *Hist. of Rome*. vol. i. pp. 98 99

obtaining independence for the Plebeians, who hitherto had wanted a legal rallying point, was the establishment, after a severe struggle, of a popular magistracy (Tribunes of the People and Plebeian *Ædiles*) in the year B. C. 494. 17. At first the Tribunes had merely a veto on questions which affected the people; but they soon took occasion (B. C. 491), from the proceedings in the case of Coriolanus, to assemble the people *tributim* (i. e. in accordance with the division of *Servius Tullius*), for the purpose of trying their enemies; and in these *Comitia*, where they were subject neither to the rules of the Senate nor to the authority of the *Augurs*, they soon acquired influence over the affairs of the state, especially after the passing of a law proposed by the tribune *Volero Publilius* (B. C. 471), by which it was provided that the election of Plebeian magistrates should take place in the *Comitia tributa*, an arrangement which effectually protected the Plebeians from the interference of Patricians in their choice of officers. 18. Notwithstanding these advances, however, the Patricians continued to possess a powerful influence, founded on religion; and this influence they especially exerted at the *Comitia curiata*, which were now held for the purpose of confirming by the auspices the acts and elections of the *Comitia centuriata*, and of giving the *imperium* to magistrates. Indeed, in the *Comitia centuriata* themselves, the influence of the Patricians was exerted by means of the auspices, the Patrician consul who presided over the Assembly, and their own clients.

§ 4. *From the Decemviri to the passing of the Licinian Law.*

19. The popular power assumed a more decided form, and resisted more vigorously the encroachments of the government after the suppression (B. C. 449) of the Decemvirate,¹ an office which had been created provisionally (the functions of the other offices of state

Cf. Arnold, *Hist. of Rome*, vol. i. p. 161, &c.

being meanwhile suspended) for the purpose of amalgamating the various elements of the Roman constitution by means of a comprehensive and impartial code of laws. The strength of the people, which had been set in motion for the purpose of overthrowing the Decemvirate, now exerted itself very energetically for the establishment of independence. 20. The power of the *Comitia centuriata*, which possessed the supreme legislative authority and right of confirming elections, began to be claimed by the *Comitia tributa*, as soon as the decrees of the *Plebs* had acquired a legislative force (subject, probably, to certain conditions) by the *lex Valeria Horatia* (B. C. 449), subsequently defined and confirmed by other enactments. A still more important step towards the amalgamation of the different estates was made by the *lex Canuleja* (B. C. 445), which authorized the *connubium*, or celebration of marriages, between Patricians and Plebeians. 21. A contemporaneous attempt on the part of the Plebeians to throw open the Consulship to their order, which was vehemently resisted by the Patricians, led to the establishment of a new office (the three *Tribuni militum consulari potestate*), to which Plebeians were eligible, and which seems to have shared the duties of the Consulate with another new office, exclusively Patrician, termed the Censorship. For many years there seems to have been an alternation of Consuls and *Tribuni militum*; but the moderation of the Plebeians, their hereditary respect for the Patricians, and dependence on them for pecuniary assistance, for a long time led them to choose those officers almost entirely from the Patrician body. The strenuous opposition of the Patricians could, however, only postpone, not prevent, the establishment of that balance of power which the times required.

§ 5. *From the passing of the Licinian Law (B. C. 376) to the Gracchi.*

22. Under the pressure of that heavy yoke which had bowed down the Plebeians ever since the Gallic

war, a law (*lex Licinia*) was passed, which not only relieved them from some of their domestic burdens, but rendered them eligible to one of the two Consulships. On the other hand, two new offices were created; the Prætorship, which was confined to the Patricians, and the Curule Ædileship, which seems from the commencement to have been filled alternately by Patricians and Plebeians. The equalization of ranks now proceeded rapidly, but in such a manner that at first the division of influences was distinct and fair. After B. C. 342 we hear no more of two Patrician Consuls. By degrees the Dictatorship, Censorship, and Prætorship, and finally the priesthoods (*lex Ogulnia* B. C. 300) were thrown open to the Plebeians. By the Publilian law, the legislative authority given to the people by the Valerian was extended, and finally made independent of the Senate by the *lex Hortensia* (B. C. 286). 23. From this period, we must date the dissolution of the Patrician order as a political body, and the change in all essential particulars of the old aristocratic form of government, which could always reckon on the support of the Senate. The *Comitia centuriata* still retained their power; but the *Comitia curiata* became a mere form without influence or importance. As the old Patrician families became extinct, or went over to the Plebeians, there gradually arose on the ruins of this order a new official nobility, composed of Patrician and Plebeian families, and founded on descent from persons who had filled the Curule offices (the Consulship, Prætorship, and Ædileship). 24. This order (*nobilitas*) gradually contracted itself by the exclusion of others from the higher offices, which was the more easy, as the great expense of the Ædileship rendered them accessible to very few, although this afterwards became a means of aggrandizing the nobility through the administration of provinces, and the acquisition of booty. The government, nevertheless, went on steadily and quietly, on the whole, until the third Punic war (B. C. 149). The right of legislation, and of electing magistrates, were in the hands of the people,

who also conducted the *judicia publica* in the Comitia, or committed the management of them to the Senate and magistrates. The Senate had the administrative authority, and the superintendence of the revenue, and the judges were chosen from its members. The great exertions rendered necessary by the wars with Pyrrhus, the Carthaginians, Illyrians, Antiochus the great, and Perseus, had for their general result the establishment of unity and strength in the executive power.

§ 6. *From the Gracchi to the Social war.*

25. When, however, after the fall of Carthage, the power of Rome was firmly established, a certain degree of laxity manifested itself both in public and private life. Foreign manners and their attendant luxury found a ready entrance; and to the lust of conquest there were now added the appetite for plunder and capricious treatment of the conquered. By degrees the republican respect for the state and its sanctity disappeared, and selfishness became every where predominant. This was especially manifest in the violent struggle which now took place between the aristocracy (*optimates*) and the popular party (*populares*).² On

² During the long internal peace which Rome had enjoyed, the power of the Senate became so firmly established and so vast, that the assemblies of the people, in many respects, were little more than a tool in the hands of the aristocracy or the *optimates*. The elections of the high magistrates were any thing but free, since the illustrious families were in the exclusive possession of the most important and lucrative offices. These *optimates*, as they were called, accumulated their wealth in the provinces, and at home amused and corrupted the people by the distribution of money or food, by games, spectacles, and bribes. In purchasing the estates of the small landed proprietors, to whom the republic originally owed her greatness, they had acquired immense tracts of land, which were cultivated by bands of slaves; whilst a large class of reduced freemen, without a home or bread, were wandering about in the country with their wives and children, not having a foot of land which they could claim as their own, though they were told that they were the lords of the earth. At Rome itself things were not better; a numerous populace had gradually been formed, which, without property or industry, threatened sooner or later to become most dangerous to the safety of the state, as they might be used, by any one who chose to buy them, for the worst purposes. Many

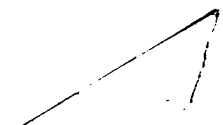
the one hand, the Senate and nobles formed a powerful faction, in whose hands the Consulship remained, and which was, in part, supported by the *Equites* who were dependent upon it. These *Equites* or *Knights* formed a class which gradually lost its original military character, and acquired great wealth by farming the public revenue. As a conservative party, this body supported the ancient order of things, and the dignity of the Senate; but, at the same time, formed an oppressive aristocracy, who, by appropriating to themselves the *ager publicus* after supplanting the small proprietors, acquired enormous estates; the management of which they committed to slaves, whilst the impoverished peasants were forced to remove to Rome, thus increasing the number of discontented citizens. These proceedings soon caused a reaction on the part of the people. 27. The laws proposed by the Tribunes, T. Gracchus (B. C. 133) and C. Gracchus (B. C. 121), especially the *lex agraria*, a revival of the Licinian law (which provided that no one should possess more than five hundred *jugera* of the *ager publicus* for himself, and the same quantity for two sons, and that the remainder should be divided among the poor citizens), paved the way, it is true, for the ruin of the nobles, without, however, for the present, securing any advantage to the people: but a democratic reaction had commenced, and one result of this was the withdrawal of the judicial authority from the Senate, and the establishment of the Knights as a separate and independent estate. It was not until the Jugurthine war (B. C. 111–106), when the moral corruption and particularly the gross venality of the nobility was displayed in the strongest light, that they suffered an important defeat by the passing of a law which provided that a rigid inquiry should be instituted into the conduct of magistrates accused of bribery, and by the

undoubtedly saw the abyss at the verge of which the republic had arrived but no one had the courage to interfere.—Schmitz, *Hist. of Rome* c. xxiv.

election of C. Marius, a *novus homo* (56), to the Consulship.

§ 7. *From the Social war to the extinction of the Republic.*

28. Soon after this the Social war or war of the allied states broke out (B. C. 91), by which the Latin and Italian people extorted the recognition of their rights as citizens, which the Gracchi had before endeavoured to obtain for them, in order to strengthen the popular cause by the addition of a body of free and independent burghers. This crowd of citizens, who were received into the state without the adoption of a representative constitution, or any other correspondent change in the form of government, was productive of great confusion. The better portion of the inhabitants of Italy, who were bound to their homes by property and other interests, were of course excluded from active participation in the affairs of government. On the other hand, a multitude of poor and lawless men, attracted by the distribution of public largesses and private gifts, were drawn together from all quarters, and formed at Rome, the central point of government, a mass which readily joined the party of those who were struggling to raise themselves at the expense of the state. 29. A reaction in favour of the nobles was brought about, it is true, by Sulla (B. C. 81), who restricted the power of the tribunals, restored the *judicia* to the Senate, and endeavoured to re-establish the ancient constitution. But this reaction produced little real effect on the position of affairs. On the other hand, an example was for the first time afforded of a commander-in-chief using his delegated authority for private ends, and the way paved for a military despotism and a civil war. In the Consulship of Crassus and Pompey (B. C. 70), the people recovered their rights, but became a mere tool in the hands of great and talented leaders, who acquired an overwhelming influence by the favour of the Commons, military power, combi-



nation, and wealth, whilst the authority of the Senate became more and more contemptible (Pompey, Cæsar, Crassus). 30. The result of their disputes with one another, was the establishment of Cæsar at the head of the government, and his appropriation to himself of all the chief offices, and finally of a perpetual Dictatorship (B. C. 46.) His death, indeed, was the effect of a republican movement, but the republican spirit had ceased to exist in the body of the people. A new combination was now formed between Antony, Lepidus, and Octavian, which ended in the assumption of absolute authority by Octavian (B. C. 33), who, under the title of *Princeps*, concentrated all the power of the state in his own person; but, in consideration of the respect with which the Romans regarded ancient forms, allowed the Senate and most of the more important offices to exist nominally. 31. For the same reason under the succeeding Emperors (*principes, imperatores, Cæsares, Augusti*), the greater part of these forms were still retained, although the people were excluded from any immediate share in the government, until, at length, even this shadow of ancient Rome vanished before a succession of innovations, such as the partition of the empire, the change in the constitution which began in the reign of Diocletian (A. D. 284–303), the removal of the seat of government to Constantinople, and the establishment of Christianity as the national religion by Constantine (A. D. 323.)

INHABITANTS OF THE ROMAN EMPIRE.

§ 1. *Classification.*

32. The inhabitants of the Roman empire were partly free and partly slaves. The freemen were either *cives* (*populus Romanus, populus Romanus Quiritium*), or *peregrini*, who in Cicero's time, were comprehended under the title *exteræ nationes*, or tributary states without the privileges of Roman citizenship.

A. Of the Cives and Civitas.

§ 2. *Nature of the Rights of Citizenship.*

33. The word *civitas* signifies both the civic community, and the rights enjoyed by its members in consequence of their citizenship. Rome was originally surrounded by other nations, partly of the same race, but never admitted to a more intimate connexion. Even in later times, when the government joined the Latin confederation, Rome never considered herself as one of the Latin states, but maintained her independence in opposition to them all, and in a short time assumed the character of their mistress. In consequence of this relation the *civitas* soon became a term of distinction, both in public and private life, between the burghers and strangers (*peregrini*, originally *hostes*). But even among the citizens themselves there existed almost as marked a distinction in the exclusion of an entire class (the *Plebei*) from the most important rights. By degrees, however, this disproportion was equalized, and the same privileges and responsibilities became the birthright of all (15-17).

§ 3. *Same subject continued.*

34. These responsibilities consisted in the payment of a property tax, and the liability to serve in the army. The most important civil privileges in public life were the right of voting on questions of state in the *Comitia*, *jus suffragii*, which could only be exercised personally at Rome, and the right of being invested with the public magistracies, *jus honorum*. The person of the Roman citizen was also protected by the law in various ways. Soon after the expulsion of the Kings, the right of *provocatio*, or appeal to the people against the oppression of the higher orders, was given by the law of Valerius Publicola. This law was afterwards frequently revived and confirmed. By subsequent enactments corporal punishment was abolished, and criminals permitted to choose banishment instead of death

35. Viewed in its relation to private rights, the *civitas* may be considered partly as a qualification for the enjoyment of all the privileges of Roman citizenship; partly as *connubium*, or the right of contracting marriages according to the Roman law; and partly as *commercium*, or the privilege of acquiring, possessing and employing property according to the regulations of the Roman code. As the power of the state increased, the Roman citizens obtained other privileges at the expense of the vanquished. Thus, from the conquest of Macedonia (B. C. 168), until the Consulship of Hirtius and Pansa (B. C. 43), they were entirely exempt from the payment of taxes. The citizens, in fact, were highly favoured in all respects at the cost of the oppressed provincials. Every Roman citizen was a member of one of the thirty-five *tribus*, and his name enrolled in the public register (*tabulæ censorum*), into which unqualified persons sometimes attempted to intrude themselves surreptitiously. The idea of the aggregate rights of a Roman citizen is expressed by the term *caput*.

§ 4. *Extent and increase of the Civic Community.*

36. From a small beginning, the civic community of Rome was gradually increased by conquests. The inhabitants of a conquered territory were, in the earliest times, partly transferred to Rome, partly permitted to reside in their own cities, but, in both cases, under less favourable conditions than the Roman citizens. They obtained what was called *civitas sine suffragio*, by which they were distinctly separated from other neighbouring nations, subjected to the Roman laws, and compelled to pay taxes and serve in the army, without having any share in the government. By degrees, however, they acquired full civic rights, principally before the Social war (28). After this war, by the *lex Julia* (B. C. 90), the Latin and Italian tribes, who had been previously *socii*, were gradually admitted to the freedom of the city; and from this period,

the privilege of citizenship was conferred with no sparing hand, especially after the extinction of the republic. Julius Cæsar granted it to *Gallia Cisalpina*, the Emperor Claudius sold it for money, and finally Caracalla bestowed it as a gift on all the inhabitants of the Roman empire.

§ 5. *Mode in which the rights of citizenship were acquired and lost.*

37. The privilege of citizenship was acquired by birth, by incorporation according to the provisions of some law (the abovenamed *lex Julia*, for instance (36), or by emancipation (*manumissio*). It was lost by becoming a citizen of another state, by imprisonment, a public sentence of condemnation, proscription, and in the time of the Emperors by deportation. The loss or restriction of civic rights was termed *deminutio capitis*; of which the highest degree consisted in the loss both of personal freedom and civil privileges: a less severe sort was the loss of citizenship only; and the mildest of all was simply the relinquishment of certain personal rights by a change of personal condition, for instance, by adoption.

§ 6. *Various classes of citizens.*

38. There were several distinctions among the Roman citizens, arising from birth, property, place of habitation, and other accidents. Their effect, in a political point of view, was various at different times. Some of them gradually disappeared virtually, if not in name, whilst new ones were created. The ancient division into tribes (*tribus*), with the still older relation of patron and client, is soon lost in the obscurity of early history. The classification into *Curiae*, and the distinction between Patricians and Plebeians were of longer continuance, but gradually lost their political importance. On the other hand, the division into classes, centuries, and *tribus* was much more perma-

ment. In the course of time, a distinction was introduced between *nobiles* and *ignobiles*; and the Equestrian Order (*equites*) appeared as a separate estate (*ordo*) below but next to the Senate. There were also distinctions between the inhabitants of Rome and the citizens created by the extension of the empire, or the establishment of colonies, municipalities, and prefectures; and others which arose from birth, and the different privileges enjoyed by free-born persons, and those who were admitted to freedom.

§ 7. *The ancient tribus and curiæ.*

39. According to the testimony of historians, Romulus divided the people into three *tribus*, *Ramnes* or *Ramnenses*, *Tities*, and *Lucères*; a classification which seems to indicate the different tribes, by the union of which the Roman state was formed. The union of these tribes, and their extension, which is generally ascribed to L. Tarquinius Priscus, stand in close connexion with the increase in the number of Patrician citizens, and augmentation of the Senate (42). The three *tribus* were divided into thirty *curiæ*, connected with one another politically and religiously. Each of these had its *curio*, and the united body a *curio maximus*. The *curiæ* assembled in the *Comitia curiata*, the most ancient political assembly; but the whole institution, which was essentially patrician, lost its importance, when the Patricians were deprived of their privileges.

§ 8. *Patroni and Clientes.*

40. We are told by ancient writers, that Romulus established an intimate connexion between Patricians and Plebeians, as the protectors and protected. The Patron was obliged to defend his Client in courts of justice, and elsewhere, whilst the latter, on his part, was compelled to contribute towards the portion of his Patron's daughter, and pay his fines and ransom. They

were not allowed to prosecute or bear witness against each other. The connexion between Patron and Client was hereditary. It must be observed, that the Clients were, however, in some respects, not only distinct from, but even opposed to the Plebeians; we may, therefore, suppose that they were people subjugated at an early period, who were admitted to a more intimate, although subordinate connexion with the Patricians, from which the *plebs*, or crowd of citizens, introduced by more recent conquests, were excluded. 41. The *clientela* after a time ceased to exist as an institution purely patrician, but was retained as a connexion between the rich and poor, the powerful and the feeble; the duties on the part of the Client being to wait on the Patron every morning, to accompany him to the *forum* and the *campus*, to support him by voting at the Comitia, and so forth; on that of the Patron, to render pecuniary and other assistance. Entire nations among the *socii* stood in the relation of clients to powerful Roman families (*e. g.* the Allobroges to the Fabii), to whom they applied in all difficulties. The same connexion existed also between emancipated slaves and their former masters.

§ 9. Patricii and Plebeii.

42. Livy and Dionysius inform us, that the Patricians were the descendants of those Senators who were appointed by Romulus, and whose number was augmented in the following reigns. From what we have already said, however, it would rather appear that they were original citizens, who enjoyed full privileges, and were divided into *curiæ* and *gentes*, or large houses united by the bands of religious and family connexion. Thus the Senate would seem to be a selection from these citizens, or, perhaps, a body representing the *gentes*; and its augmentation would be a natural consequence of the increased number of Patricians. 43 The Patricians were entirely separated from the Plebeians, no *connubium* being permitted between the

two orders. They enjoyed the exclusive privilege of eligibility to the offices of Senator, magistrate, and priest, the right of taking possession of the public lands acquired by conquest, and farming them on the payment of a certain rent, whilst the Plebeians were obliged to content themselves with insignificant allotments; and lastly, the auspices and interpretation of the laws were in their hands. Meanwhile, however, the Plebeians were increasing in importance as well as numbers, by the admission of vanquished tribes into their body. From the time of Servius Tullius they were allowed to take part in the comitia, and by degrees were admitted to equal rights with the Patricians. By the *connubium*, the *gentes* were mingled, the Patrician families gradually became extinct, and in the time of the Emperors, were replaced by persons selected from the body of Senators.

§ 10. Classes *and* Centuriæ.

44. The division into classes and centuries was the work of Servius Tullius, who wished to unite the different estates of his kingdom, and to apportion the burdens of war and taxation more fairly among the rich, whilst, at the same time, he granted them a larger share in the administration of the government. In pursuance of this plan, he formed certain *classes* according to a property qualification, giving to each a number of centuries or votes, in such a manner, that the rich, although fewest in number, had most voices. The *equites*, consisting of eighteen centuries, voted first; then the first class, which had eighty centuries. The minimum qualification of this class was fixed at 100,000 *asses*: there also belonged to it two centuries of handicraftsmen (*centuriæ fabrum*). 45. The second class consisted of twenty centuries; their qualification was property to the amount of 75,000 *asses*; the third, twenty centuries, with 50,000 *asses*; the fourth, twenty centuries and 25,000 *asses*; and the fifth, thirty centuries and 10,000 *asses*. Among these were the *accensi*,

cornicines, and *tubicines*, divided into three centuries. Those who were still poorer were comprehended in only one century³ (*proletarii*, *capite censi*). They were seldom required to serve in the army, except in cases of great necessity. Marius, however, recruited from them as well as the other classes. 46. Each class was divided into an equal number of *centuriæ seniorum* and *juniorum*, and had its distinctive military equipment. This arrangement, as far as condition, property, and age were of political importance, has been described by Livy. Other writers vary from him in a few particulars. At a later period, as Livy also points out, although it is uncertain when or in what manner, a change was introduced, the centuries being placed in connexion with the division into tribes, each of which now consisted of two centuries. The division into classes, however, and the property qualification were still retained.

§ 11. *The later Tribus.*

47. Servius Tullius divided the city into four *tribus* or districts, and the country into twenty-six, or, according to other authorities, into sixteen. After the expulsion of the kings, there were at first twenty *tribus*, a consequence, probably, of the loss sustained by the state in the war with Porsenna, (B. C. 509–507): afterwards, however, the number was gradually augmented to thirty-five. The division into tribes became especially important as the power of the people increased, the *comitia tributa* being assemblies of Plebeians, over which the Patricians had little influence. The *tribus rusticæ* were the most respectable, and contained the richer citizens, who possessed landed property. 48. The four *tribus urbanæ*, *Palatina*, *Suburrana*, *Collina*,

³ Niebuhr says, "The Romans knew only of *five* classes; so that Dionysius, who calls such as gave in less than 12,500 *asses*, a *sixth* class, is just as much mistaken in this as when he allows them only *one* century." He also considers it beyond a question, that the fortune of the fifth class was 12,500 *asses* as Dionysius states it, not 11,000, as Livy.

and *Esquilina*, which contained the rabble of the city, and the inferior tradesmen and artisans, were little esteemed; and as the persons admitted to the freedom of the city whose names were inserted in the register of the *tribus urbanæ*, gradually contrived to intrude themselves into the *tribus rusticæ*, it was a meritorious deed, when the Censor Q. Fabius Maximus Rullianus (B. C. 304), and subsequently Tib. Sempronius, the father of the Gracchi, forced them back into the *tribus urbanæ*. In the time of the Cæsars, this division into tribes lost its importance.

§ 12. *Ordines.*

49. As the political importance of the distinction between Patricians and Plebeians disappeared, the word *plebs* began to be employed to designate the mere rabble; and, in this sense, we find sometimes the term *nobilitas*, and sometimes *ordines* used for the higher ranks, among which were reckoned the Senators and Knights. The word *ordo* is more rarely used with reference to the Plebeians.

a. *Ordo senatorius.*

50. Livy informs us, that Romulus chose one hundred Senators (*patres*⁴). When the Sabines joined the Romans, the number was increased to two hundred. Many of the conquered Albans were afterwards admitted into the Senate by Tullus Hostilius. Lastly, Tarquinius Priscus chose Senators from the new patrician families (*patres minorum gentium*), by which the number was increased to three hundred. As this was diminished by later Kings, the Consuls restored the original number of three hundred by the introduction of new members, who at first were distinct from the *patres*, properly so called (*patres et conscripti*). Sulla

⁴ This word is sometimes used to designate *Patricians*.

increased the number to six hundred.⁵ 51. As the Senate was supposed to concentrate the dignity and power of the state (*amplissimus, maximus, sanctissimus ordo*), all the regulations for admission into the body were framed with reference to this object. It was required that the candidate should be free-born, and possess a certain amount of property (in later times 800,000 *sestertii*). Even at an early period the qualification must have been considerable, since the Senators were required to devote themselves for life to the duties of their office without receiving any remuneration, and were not allowed to exercise any trade or employment, or to become farmers of the public revenue. 52. The Senators were chosen (*legebantur*) by the Kings, the Consuls, and afterwards by the Censors. This choice was not arbitrary, but dependent on certain qualifications, one of which in later times was the having fulfilled the duties of the magistracy, the first degree of which was the Quæstorship (the *ætas quæstoria* was twenty-seven). At first the Senators were chosen exclusively from the patrician order, but even in the early days of the Republic we hear of plebeian Senators; and this became more common, when the higher offices, which were introductory to the Senate, began to be filled by Plebeians. The insignia of the Senators were the *latus clavus* (broad purple band woven in front of the tunica), the *calcei lunati* (short boot with the letter C on the top of the foot) of the patrician Senators, and a particular seat at the public shows.

b. *Ordo equester*.

53. At its institution this was simply a military order. Romulus appears to have created three centuries of Knights, corresponding to his division of the clans

⁵ "Schaaf makes the same assertion, but it is destitute of proof. Apian informs us that Sulla added to the Senate three hundred of the equestrian order, but its number probably did not exceed five hundred."—*Osenbrüggen*.

into *Ramnes*, *Tities*, and *Luceres*. They were probably the same as the royal body-guard (*celeres*) mentioned by Livy. After the taking of Alba, Tullus Hostilius is said to have enlarged the centuries, and Tarquinius Priscus doubled their number. Servius Tullius added twelve new centuries of Knights to the six⁶ which already existed. These eighteen voted first in the first class of citizens (44). The order consisted of the most wealthy citizens, and at first each of them received an *equus publicus*⁷ and *æs equestre*, that is, an order on the *viduæ* for the purchase and keep (*æs hordearium*) of their horses.⁸ 54. At a later period the order acquired political importance through its investment with the *judicia* (s. c. 122), which it retained until the time of Sulla. As many of the Knights also acquired large fortunes by farming (*publicani*) the public revenue (*vectigalia*), their influence in the state became very considerable. The military character of the order gradually disappeared, and all free-born citizens, who possessed the *census equester* (latterly 400,000 sesterii) were *equites*.⁹ The custom, however, still continued of furnishing an *equus publicus*, and none but those who possessed one, voted in the *centuriæ equitum* (44), even after the alteration in the *comitia centuriata*. The insignia of the Knights were the *annulus aureus*, the *angustus clavus*,¹ and the fourteen first benches at the theatre. Their epithets of honour are *splendidi fortissimi*.

⁶ These were named the *sex suffragia*.

⁷ The Senators had also originally an *equus publicus*, and voted in the *centuriæ equitum*.

⁸ "An annual rent-charge of 2,000 *asses* on the estates of single women and orphans, who were thus made to contribute to the defence of the state which gave them protection."—*Keightley*.

⁹ According to Ruperti, *Equites ex censu*; though they were *Equites*, they did not belong to the *ordo equester*, which consisted solely of *Equites equo publico*.

¹ Cf. the description of the *latus clavus*, 52. From these privileges *vivere angusto clavo contentum* (Vell.) = to be satisfied with *equestrian* rank; and *sedere in quatuordecim*, to sit among the *Equites*, i. e. to be an *Eques*.

§ 13. *Nobiles and ignobiles.*

55. As the ancient difference between Patricians and Plebeians disappeared, there arose a new classification into *nobiles*, and *ignobiles*. The magistracies at Rome were posts of honour to which the holders were appointed by the choice of the people: it was therefore considered a great distinction to attain the higher grades. At first they were reserved for the Patricians, but when the Plebeians were also admitted to their share of the honour, there arose by degrees, without any public enactment, an order of nobility consisting of those persons, whether Patricians or Plebeians, whose ancestors for many generations had filled the curule offices (the *Ædileship*, *Prætorship*, and *Consulate*). 56. As the majority were precluded from becoming candidates for these offices, especially the *Ædileship*, by the expense, there was formed by degrees a corporation so firmly supported by wealth and hereditary reputation, that even men of the most distinguished talents, who were destitute of those qualifications, very rarely succeeded in raising themselves to the order. Such *homines novi* (i. e. men who *did* so raise themselves) were Marius in the Jugurthine war, and Cicero in the time of Catiline's conspiracy. The only privilege of nobility was the *jus imaginum*, an ancient custom, which consisted in setting up the waxen busts of their ancestors in cases (*armaria*) fixed for that purpose in the *atrium*. 57. These figures were provided with an inscription (*titulus*), setting forth the offices which the deceased had filled, and were bound together by festoons (*stemma*). At funerals they were borne before men, who were dressed like the persons represented by the busts. Out of these *nobiles* and the Senate were formed the *optimates* or conservative party, who supported the dignity of the Senate, and the established order of things, against the movement party (*populares*), who strove to obtain for the people not only substantial advantages, but the greatest possible political influence.

§ 14 *Inhabitants of the coloniae civium, municipia, and præfecturæ.*

58. A necessary consequence of the original extent of the Roman dominion was, that no distinction existed between the civic administration and that of the state; and even when in later times the empire was increased by conquests, the same plan was retained. Rome was the centre of all government, and the exercise of the most important political rights was dependent on a residence in the capital. Thus with regard to actual participation in the affairs of government, we may distinguish between the Romans properly so called, and the citizens who were introduced at a later period, of whom a part (*cives sine suffragio*), at a very early period, were essentially distinguished from the Romans by the enjoyment of fewer privileges.

a. *Coloni.*

59. In ancient times the conquered nations were compelled to accept the privilege of Roman citizenship under less favourable conditions than the original inhabitants (*civitas sine suffragio*), and plundered of a part of their land, which was sold as *ager publicus*, or assigned to Roman citizens, or let to individuals (*patricians*), in return for a certain ground-rent. In order to secure the conquered territory from the attacks of foreign enemies, as well as from any attempts of the former inhabitants to recover their possessions, it was usual, in accordance with the old Etruscan and Latin practice, to send thither a colony, consisting at first of 300 men. The colonists, who thenceforward must be considered as a military garrison, retained all the privileges of Roman citizens with the *connubium* and *commercium*, and thus formed an order superior to the original inhabitants, an arrangement which often produced insurrections. 60. These colonies, which had begun to be sent out even in the time of the Kings, were called *coloniae civium*, in opposition to the *coloniae*

Latinae, which consisted, not of citizens, but of Latin allies, who after the conquest of Latium (B. C. 338), were sent out under Roman leaders. After a long time had elapsed without the establishment of any *colonia civium*, some were again sent, after the second Punic war, to those places which during Hannibal's campaign had been unfaithful to Rome. At a later period some were sent to *Gallia Cispadana*. The establishment of colonies according to the old regulations never extended beyond this point. Under the Gracchi the sending out of *coloniae civium* had another object in view, namely, the support of the poorer citizens. In Sulla's time, military colonies were established for the purpose of rewarding veteran soldiers; an arrangement which was retained by the Emperors, but chiefly in the provinces. 61. Colonies were led out (*deducebantur*), after a *plebiscitum*, on the motion of the Senate. The colonists, who in the ancient time especially were by no means taken from the ranks of beggarly and profligate citizens, gave in their names (*nomina dabant*) of their own accord; but in the event of there being a deficiency of volunteers, persons might be impressed for the services. They marched in military order (*sub vexillo*), under the command of their officers (*triumviri coloniis deducendis*) to the spot, the boundaries of which, according to ancient custom, were marked out by the plough. Of this ground a certain number of acres were assigned to each colonist. The internal administration of the colonies was copied from that of Rome.

b. *Municipes*.

62. The *municipia* were towns the inhabitants of which had been formerly *peregrini*, and were now *cives*. They enjoyed the rights of Roman citizenship, but were governed by their own magistrates, and managed their affairs according to their own customs: at first they were partly with, and partly without the *suffragium*; but after the *bellum sociale* all the Italian

towns were made *municipia cum suffragio*. In the time of the Emperors there were also *municipia* in the provinces.

c. *Incolæ præfecturarum*.

63. The *præfecturæ* (e. g. Capua) had no *suffragia* nor any peculiar jurisdiction, but were governed by a *præfectus* sent out every year from Rome. By degrees they obtained the *suffragia*, but still retained their *præfectus* and the name of *præfecturæ*.

§ 15. *Ingenui and libertini*.

64. Another distinction, not altogether unimportant as regarded civic privileges, was that between the free-born (*ingenui*) and the emancipated (*libertini*). See 72.

B. Of the *Peregrini*.

§ 16. *Socii and Provinciales*.

65. The nations subdued by the Romans in the earliest times of the Republic were all admitted to a sort of compulsory citizenship without *suffragium*. Those who were conquered at a later period were termed *peregrini*, and were placed in a subordinate relation to the Roman state, without any participation in the rights of citizenship. Of these *peregrini* some (*socii*) had a constitution of their own, but were required to furnish contingents of troops, or, as occasion required, subsidies in money, grain, ships, &c.; and sometimes also paid *tributa*. Their relation to the state was generally defined by written covenants (*civitates liberæ et fœderatæ*), the terms of which varied according to circumstances; by degrees, however, their condition became one of extreme hardship. To these allied states which retained their own form

of government, belonged especially the Italian tribes and some nations out of Italy. 66. Other *peregrini* were completely subordinate, being governed by Roman laws and Roman magistrates, and compelled to pay heavy *tributa* (*provinciales, dedititii*). The *peregrini*, having no part in the state, were excluded from the *jus suffragii* and *honorum*, and were liable to corporal punishment and ill-treatment at the caprice of the Roman magistrates. With regard to their private rights, they possessed neither the *connubium* nor the *commercium*.² In ancient times they were not allowed to plead in a court of justice, but were compelled to employ the services of some host or patron among the Roman citizens. This restriction, however, was removed, when a court was established expressly for the settlement of disputes between *peregrini*, or between foreigners and Romans. We find on several occasions that the *peregrini* were banished from Rome by legislative enactments.

§ 17. *Latini*.

67. Among the *socii* the most remarkable were the Latins, from whom the Romans derived their origin. The peculiarity of their relation to the Roman state, is expressed by the terms *socii nomenque Latinum*. At an early period Rome was on terms of hostility with the Latins. Under Tullus Hostilius, Alba was taken and its inhabitants transferred to Rome, where some of the most distinguished families were admitted into the class of Patricians. The war still continued under succeeding Kings, but in the reign of Tarquinius Superbus, Rome became the head of the Latin confederation. After the expulsion of the Kings, the wars began afresh, and continued until B. C. 493, when an

² The *Isopolity*, as it was called, or community of private rights, between two free states, existed only in the ancient alliance of the Romans with the Latins and Hernici, and their still older communion with the Cærites. In no other instance was it granted even to the most favoured of the *socii*.

alliance was concluded, by which equal rights together with the *connubium* were secured to both parties. The Hernici also were admitted into this confederation, but Rome soon began to aim at supremacy. 68. These struggles, it is true, were several times interrupted, especially by the Gallic war; but at length (B. C. 336) the whole of Latium was brought under the Roman yoke. The Latins remained *peregrini*, probably without *commercium* and *connubium*, and were required to serve in the Roman armies. Still their connexion with Rome was more intimate than that of the other *socii*; and under certain circumstances they might be admitted to the freedom of the city; for example, if they had filled one of the highest offices in their own country, or settled at Rome, and left issue male. The Romans frequently employed the Latin people for the purpose of extending and consolidating their power, and spreading their language, a measure which was accomplished by the establishment of colonies (*coloniæ Latiniæ*), commanded by Roman triumviri, and placed in the same position with the Latins themselves. 69. After the *bellum Latinum*, the Latins and their colonies were admitted to the freedom of the city; and in the following year some cities in *Gallia Transpadana*, under the name of Latin colonies, were invested with the same privileges which the Latins had formerly enjoyed (*jus Latii*, *Latinitas*), an arrangement which was afterwards extended by the Emperors to the provinces. From the time of Tiberius to that of Justinian, the name *Latini* (*Juniani*) was understood to express a sort of *libertini* who had the *commercium*, but not the *connubium*, and under certain restrictions might be admitted to the full privileges of citizenship. The rest of the Italian *socii* possessed a constitution somewhat less liberal, but in no essential particular different from that of the Latins. In the time of the Emperors this constitution was extended, under the name of *jus Italicum*, to cities in the provinces, where, without being connected with any personal privileges, it exercised an influence principally on

the legal position of landed property, and the burden of taxation, Italy itself being free from all charges on land.

C. Of the Servi.

§ 18. Condition of the Slaves.

70. Among the Romans, as among the other nations of antiquity, a portion only of the members of society enjoyed freedom at the expense of the rest, who were compelled to discharge the most laborious and degrading offices. The slaves were considered not as persons, but as chattels: like any other article, they might be bought, sold, ceded, and bequeathed by will. Until the time of Antonius, masters had the *jus vitæ et necis* (of which, however, they seldom availed themselves), as well as the power of inflicting corporal punishment at discretion (*flagellum, lora, virgæ, furca, stigmata, ergastulum, in pistrinum dari, plectrudentem, crux*). The slaves received a monthly allowance for their support (*demensum*), but could not acquire property, except with the consent of their masters (*peculium*). They were partly slaves of private citizens, partly of the state; the latter were employed in public works. Slavery was the result either of birth or captivity (*vendi sub coronâ*).⁴ In ancient times insolvent debtors might be made slaves. Even a refusal to be registered at the census (*incensus*), and a withdrawal from military service, might be punished by enslavement. Foreigners were often sold by the slave-dealers (*mangōnes*) in the great slave-markets at Rome.

³ *Ergastulum*, a private prison where the slaves worked in chains: *in pistrinum dari*, to be sent to the bake-house, to pound or grind corn.

⁴ The slave being sold with a garland on his head: he stood on a platform (*cātasta*) or a raised stone (*lapis*; hence *de lapide emptum esse*). The *Mango* was bound to tell the slave's faults, and (*præstare*) to warrant him with reference to faults not mentioned. A scroll (*titulus*) round the neck stated these faults and his good qualities, &c.

§ 19. *Emancipated Slaves.*

72. Emancipation (*manumissio*) was effected either by entering the name of the slave in the Censor's books (*censu*), or by the observance of certain ceremonies before the prætor (*vindicta*),⁵ or by will (*testamento*). In later times, other more simple forms of manumission were employed (*inter amicos, per epistolam, per mensam*).⁶ Augustus, by the *Lex Ælia Sentia*, made the right of manumission dependent on certain conditions, which were regulated by the respective ages of the emancipator and emancipated. 73. The connexion between the freedman and the (*libertinus*; and in reference to his master, *libertus*) and his former lord was not entirely dissolved by manumission. He assumed his master's *nomen* and *prænomen*, and became his client; and if he died *intestato*, without issue, his master inherited his property. Nor did he enjoy all the public rights of a free-born citizen. In consequence of certain legal enactments, which, however, were not always strictly observed, he was only admitted into the city tribes; and previously to the Social war, he was prohibited from serving in the army, and excluded from the magistracy and the Senate. The same regulation was also observed, as a general rule, with regard to the *fili libertinorum*.

POLITICAL POWER.

§ 1. *Division of Political Power.*

74. In the best days of the Republic, political power was divided equally between the people, the

⁵ *Vindicta* = *virga prætoris*, quâ percutiebantur servi dum liberi fiebant manumittebanturque capiti impositâ (Schol. in Hor.).—The freedom of the slave was demanded by a fictitious claimant (*assertor libertatis*). The master, who was holding him, then let him go (*manu emittebat*), with the words, *Hunc hominem liberum esse volo*. The *vindicta* (al. *festuca*) was then laid upon his head, and he was turned round (hence, *momento turbinis exit Marcus Dama. Pers.*). The Prætor then declared him free.

⁶ i. e. by inviting him to sit at table with him and his friends, writing him a letter, &c.

Senate, and the ruling magistrates. To the people belonged the supreme majesty and sovereign power. They possessed the legislative authority, under which was comprehended the right of deciding questions of peace or war, the right of choosing magistrates, and the *judicia capitis*, until the introduction of the *quæstiones perpetuæ* (about B. C. 144). 75. The executive authority, strictly so called, with its overwhelming influence, belonged to the Senate. The officers of state were chosen by the people, for the purpose of presiding in the general assemblies, and of carrying out the decrees of the people and Senate in different branches of the administration. It would seem, however, that the boundary line between the provinces of the various authorities was not always very distinctly drawn; an imperfection which may be attributed to the confusion and struggles out of which the Roman constitution developed itself.

A. Populus.

§ 2. *Comitia*.

76. The power of the people was exercised in the *Comitia* (*comitium*, sing., a place in the forum in front of the *Curia Hostilia*), that is, in assemblies regularly summoned according to law and by the proper magistrates, for the discussion and decision of public questions.⁷ Of these *Comitia* there were three sorts, *curiata*, *centuriata*, and *tributa*. The *curiata* belonged to the old or Patrician form of government, and lost its importance when that party no longer retained its privileges. The *centuriata* comprehended all the people. The *tributa* belonged exclusively, or, in a great measure, to the *Plebs*, to which they owed their

⁷ *Concio* (or *contio*), on the contrary, is an assembly convoked by a single magistrate, for the purpose of giving information to the people on any particular subject, or of deliberating on a proposed measure previously to the *Comitia*.

origin and importance. With the decline of the Republic and of morals, for instance after the *lex Julia* (B. C. 90), the Comitia became a theatre for the contentions of unquiet spirits, the struggles of party, and bribery (*divisores*).⁸ Under Cæsar and Augustus they lost their importance, and in the reign of Tiberius were entirely suppressed.

§ 3. General Regulations of the Comitia.

77. The Comitia could only be held on certain days, especially appointed for that purpose (*dies comitiales*), but never on festivals (*feriæ*). It was required that previous notice of the time of meeting should be given by an edict, and that the subjects for discussion should be notified (*promulgari*). Before the Comitia for electing magistrates, the candidates were obliged to announce themselves to the proper officers a certain length of time before the day of meeting (*profiteri*). 78. The business of the Comitia must be transacted in one day between sunrise and sunset. The proceedings were adjourned, if the Tribunes of the people interposed their veto (*intercessio*), or unlucky appearances presented themselves, such as thunder and lightning,⁹ or if an augur or magistrate who had the right to hold *auspicia* (*servare de cælo, spectio*), and possessed the power of breaking up the assembly by the simple announcement that he intended to make observations, thought fit to object (*obnuntiatio, alio die*). The auspices of a superior magistrate had precedence over those of an inferior; whence the frequent occurrence in the edict proclaimed by the Consul, "*Ne quis magistratus minor de cælo servasse velit.*" The mode of proceeding at the Comitia will be discussed under the head of the *Comitia centuriata*, with which we are best acquainted.

⁸ *Divisores* were electioneering agents who paid the money: the *interpretes* bought the vote: *sequestres* held the money till it was earned.

⁹ An epileptic fit was also thought ominous, and caused an adjournment. Hence the epilepsy was called *morbis comitalis*.

§ 4. *Comitia curiata.*

79. The *Comitia curiata* were held in the *comitium* (76) in ancient times by the Kings, and afterwards by the Consuls and Prætors. At first, they were the only assemblies of the whole people. At them laws were enacted, and the Kings elected or confirmed in their authority; but after the introduction of the *Comitia centuriata*, and the decline of the Patrician influence, they gradually lost their importance, and served principally for the investiture of magistrates with the *imperium*, or military command with the right of holding auspices.¹ In later times, the *Curies* no longer assembled, but were merely represented by the lictors. To these *Comitia* belonged also the *Comitia calata*, which were appointed for the purpose of sanctioning certain proceedings, such as wills and the *detestationes sacrorum*.

§ 5. *Comitia centuriata.*

80. The *Comitia centuriata* were held *extra pomerium* (5), generally by the Consul, but sometimes by the Prætor. After the division of the people by Servius Tullius, nearly the same powers were exercised by these *Comitia*, as formerly by the *Comitia curiata*, with the exception of such privileges as were retained by the latter, and were subsequently transferred to the *tributa*, when the *plebiscita* had acquired the force of laws, and public questions were discussed in these assemblies without any very definite restriction. In the *Comitia centuriata* the Consuls, Prætors, and Censors were elected, laws passed and abrogated, war determined on (for the first time in B. C. 427, after a dispute whether this could take place in consequence of a resolution of the Senate), and capital offences tried, until the introduction of the *quæstiones perpetuæ*, when the judicial functions of the *Comitia* were gradually superseded.

¹ Or, perhaps, they served for the confirmation by auguries of the elections which had previously been held in the *Comitia centuriata*. See Cicero *adv. Rullum* 2. 11.

§ 6. *Proceedings at the Comitia centuriata.*

81. The manner in which these Comitia were held, was as follows: the subject for discussion was published a *trinundinum* (seventeen days) before the day of meeting. This interval was employed in preliminary discussions (*suadere, dissuadere legem*), in assembling the people (*conciones* 76, note 7), and in canvassing for votes in the city and municipia. On the day of meeting, the auspices were consulted by the presiding magistrate, with the assistance of the augurs. The Comitia were generally held on the *Campus Martius*. They were opened with sacrifice and prayer by the presiding magistrate, who then granted permission to other magistrates and private citizens to discuss the question. 82. After the debate, it was allowed to the Tribunes of the people to interpose (*intercedere*). If no objection were made on the part of the Tribunes, and no religious obstacle existed, the magistrate then called on the people to arrange themselves for voting, in the following form of words: "*Si vobis videtur, discedite, Quirites.*" Then followed the *rogatio ad populum*, "*Velitis, jubeatis, Quirites*" (*in suffragia mittere*). The Knights voted first, then the other classes in regular order, seldom however including the fourth, and very rarely, if ever, proceeding as far as the sixth. This great preponderance on the part of the rich was afterwards diminished (probably between the first and second Punic war), through a more popular arrangement of the Comitia, in which the division into tribes was allowed its influence. The century which voted first, was termed the *prærogativa*, and was chosen by lot. 83. At first the votes were given *vivâ voce*, but subsequently, after the passing of the *leges tabellariæ*, they were delivered in writing by means of a *tabella*, on which were inscribed either the words *Uti rogas* (i. e. "as you ask," = *yes*), or *Antiquo*² ("I am for the old state of things," = *no*); or in Comitia for elections the name of the candidate for

² *Antiquare* = *in modum pristinum reducere*. Fest

whom the elector voted. The centuries which were to vote passed over elevated bridges (*pontes*) into an enclosed space (*ovile*).³ Here the *tabellæ* were given to them by the distributors (*diribitores*), and thrown into *cistæ*, from which they were afterwards taken and counted under proper inspection. Finally the result was proclaimed in a loud voice. The law adopted by the assembly was engraven on brass, and laid up in the *ærarium*.

§ 7. Regulations common to the *Comitia curiata* and *centuriata*.

84. The regulations common to both sorts of *Comitia* were, that they should be held in consequence of a decree of the Senate, and after the auspices had been taken (*auspicato*).⁴ In the earlier times their resolutions were confirmed by *auctoritas patrum*, a term by which some understood the concurrence of the Senators; others, the confirmation by the *Comitia curiata* of the resolutions passed at the *Comitia centuriata*. In either case it is a remnant of the ancient form of government, the importance of which was lost after the passing of the *lex Publilia* (B. C. 339), which provided, that this ratification should precede the election.

§ 8. *Comitia tributa*.

85. The regulations mentioned in the preceding paragraph did not apply to the *Comitia tributa*, which were held *intra* as well as *extra Pomærium* (5). These meetings were first introduced at the trial of Coriolanus (B. C. 451), but their legal establishment was founded

³ There was undoubtedly a difference between these *ovilia* and the *œpta* erected by Cæsar on the Campus Martius, which were used only for a short time at the *Comitia tributa*, and afterwards served for public shows, &c. In the *Comitia* they probably served for the partition of the *tribus*.

⁴ The decision of the Augurs could even reverse a resolution formally adopted by the *Comitia*: thus B. C. 444 the three first *Tribuni militum consulari potestate* were obliged to resign their offices *Augurum decreto quasi vitio creati*, &c. Liv 4, 7.

on the laws of Volero Publilius (B. C. 471). Their judicial authority belonged in all essential matters to an earlier period; for the Tribunes, until the laws of the Twelve Tables, were in the habit of citing before this assembly persons accused of high treason. At these Comitia they chose the *Magistratus plebei* (after the lex Publilia in 471), and *minores*, as well as the *Ædiles curules*, and to a certain extent the Military Tribunes;⁵ and after the lex Domitia (B. C. 104), the election of priests, which had previously taken place by co-optation, was committed to them, but under a peculiar form: but they became important, especially in a legislative point of view, when the *plebiscita* obtained by three enactments (*lex Valeria Horatia*, 449, *Publilia*, 339, *Hortensia*, 286) the force of laws. 86. Subsequently resolutions were passed in them respecting public questions, partly on the motion of the Senate (*ex auctoritate senatus*), without any clear distinction between *Comitia centuriata* and *tributa*, partly independently of the Senate. To these Comitia belonged exclusively the power of passing laws affecting public interests strictly so called; for example, the *leges agrariæ*, *frumentariæ*, *tabellariæ*, and various laws relating to private affairs. They were generally held by the Tribunes of the people, and might be prorogued by the *obnuntiatio* (78). The Patricians, whose influence in these Comitia was inconsiderable, seem to have absented themselves from them. The legislative power was withdrawn from them by Sulla, but restored in the Consulship of Pompey and Crassus (B. C. 70).

B. Senatus.

§ 9. Province of the Senate.

87. The Senate possessed the administrative authority, comprising the maintenance of religious wor-

⁵ It would seem that even the *Tribuni militum consulari potestate* were also chosen at these comitia. See Liv. 5, 18. Niebuhr 3, page 330. note.

ship, the management of affairs connected with finance and taxation, the levying of troops, negotiations with foreign and allied nations, embassies, the administration of the provinces, &c. It exercised an influence over legislation, and until the time of the Gracchi the Judges were chosen from its members. In extraordinary emergencies it called on the magistrates to act as circumstances might require, in the following form: "*Videant Consules, &c., ne quid detrimenti capiat Respublica*;" and especially in such cases, allowed itself occasionally to exercise an authority which exceeded the limits defined by laws. Under the Emperors it lost its real power; but continued until the time of Justinian to exercise some legislative authority, to elect the republican magistrates, to superintend the *ærarium*, and the provincial administration, and to act as a court of criminal justice.

§ 10. *Mode of proceeding in the Senate.*

88. The Senate was convoked (*convocabatur, cogebatur*) and held by the Kings; in the times of the Republic, by the Consuls or other principal magistrates, Prætors, Dictators, Interreges, and also by the Tribunes of the People. It generally assembled in the Curiae (especially the *Curia Hostilia*), but might be held in any place consecrated by the Augurs, especially in temples; for instance, in the *ædes Concordiæ*, and *ædes Bellonæ*, where audience was given to foreign ambassadors (*Senatus iis dabatur*). The meetings of the Senate were either regular (*senatus legitimus*), or extraordinary (*senatus indictus*), which might be held on any day except the days of the Comitia. Like the assemblies of the people, the meetings of the Senate were held between sunrise and sunset. 89. The presiding magistrate having announced the subject for deliberation (*referre ad senatum*), each member was called upon to state his opinion (*rogare sententias, sententias dicere*), which he delivered either by a single word, sitting (*verbo sententiam dicere, verbo assentiri*),

or on his legs in a set speech.⁶ In the earlier times the *Princeps Senatûs*, or member whose name stood at the head of the list (a title of honour), and at a later period the *Consules designati* were first called on; then the question was put to the others in the order of their official rank. The member to whom the question was put often digressed into other public matters (*egredi relationem, diem dicendo consumere*), if this were not previously forbidden. 90. Then followed the actual voting (*discessio, pedibus ire in sententiam alicujus*), at which a separate vote was occasionally demanded on each particular proposition, on which a resolution could be founded (*divide sententiam*). The decree, when passed (*Senatûs consultum, decretum*) was written down, and like the laws and other public documents, laid up in the *ærarium* under the care of the Quæstor. To make a decree of the State valid, it was requisite that a certain number of members should be present (*numerus legitimus, Senatus frequens*). Those who absented themselves without reasonable cause, or grossly violated the standing orders, might be punished by a pecuniary fine or the distraint of their goods (*pignora cedere*). The Tribunes could dissolve the decrees of the Senate by their *intercessio*. A resolution passed by an insufficient number, or stopped by the interposition of the Tribunes, was termed *Senatûs auctoritas*.

C. Magistratus.⁷

§ 11. History of the Magistracy.

91. In ancient times the supreme executive and judicial authority was possessed by the Kings, although probably restricted by the Senate and the popular

⁶ This was merely an expression of opinion, which he was allowed to retract when he actually voted, e. g. Silanus in Sallust. Cat. cap. 51.

⁷ The word "Magistratus" signifies both the office and the person who holds it.

assemblies: they were the leaders of the army, and performed several religious rites, which were afterwards intrusted to the *Rex sacrificulus*. For their support they had an allotment of the *ager publicus*, of which the *Campus Martius*, which after the expulsion of the Kings became public property, formed a part. We read also of a *Tribunus Celerum* and a *Præfectus urbi*; but very little is known of these offices. After the expulsion of the Kings (B. C. 509), two Consuls were appointed, whose authority at first was almost equal to that of the Kings. 92. But as the power of the Plebeians increased, there arose a new office called the Tribuneship of the People (B. C. 494), and in consequence of the increase of territory and population, it was necessary gradually to divide the public business. The management of the lists of citizens, and the care of the public morals, the administrations of justice and of police, were separated from the Consulship, and committed to officers especially appointed to those duties. Thus the Censorship was created B. C. 444, and the Prætorship and Ædileship, B. C. 367. For the benefit of the provincial administration, and the carrying on of war, the time of continuance in office was often prolonged (*prorogare imperium, provinciam*). Latterly this became a regular practice; whence the appointment of Proconsuls and Proprætors, and, on account of the increased amount of business, the augmentation in the number of several magistrates, such as the Prætors and Quæstors. 93. Augustus appropriated to himself the choice of Consuls, Tribunes, and Censors, assumed the title of *Pontifex Maximus*; and at last, under the name *princeps*, united all the powers of the state in his own person. In the time of the Emperors, most of the great officers retained, it is true, their names and outward distinctions; but many changes were introduced, and unless the office were held by the Emperor himself, it lost most of its actual authority. New magistrates were appointed in accordance with the actual conditions of the state; such as a *Præfectus Urbi*, or superintendent of police, who

was afterwards invested with the supreme criminal jurisdiction, a *Præfectus Prætorio*, who was originally the commander of the standing body of life-guards established by Octavian (Augustus), but after the time of Tiberius, possessed considerable influence over the government and the administration of justice, and a *Præfectus Annonæ*, or superintendent of the commissariat. 94. From the times of Diocletian and Constantine, an entirely new organization of the government and public offices was introduced, in which the traces of antiquity were gradually obliterated by the administration and titles of a court (*consistorium, principis, comites*, the higher state officers). In our succeeding sections we shall take a closer view of the magistracy, particularly under the Republic.

§ 12. *Magistracy of the Republic—Its character and position.*

95. The magistrates were partly *ordinarii*, partly *extraordinarii*. To the ordinary belonged the *Consules*,⁸ *Prætores*, *Censores*, *Ædiles Curules et Plebei*, *Quæstores*, and *Tribuni Plebis*, although the last, strictly speaking, were not magistrates. The extraordinary were the *Interrex*, *Dictator*, *Magister Equitum*, and *Præfectus Urbi*, who under peculiar circumstances undertook the duties of the magistracy.⁹ The higher ordinary magistrates were the Consuls, Prætors, Censors, and Curule Ædiles, all of whom enjoyed *nobilitas*, or official rank. 96. If we compare the Roman magistracy with that of more modern states, we perceive a striking difference. For example, the offices were not, as in our day, a provision for the holders, but mere honorary distinctions (*honores*), with which they

⁸ To this class belong also the *Decemviri legibus scribendis*, and the *Tribuni Militum consulari potestate*, who were placed at the head of the state for a definite period.

⁹ To these we may add, although somewhat different, the temporary commissions given to individuals for some particular purposes, such as the establishing a colony, or the administration of provincial affairs in times of scarcity.

were invested by popular election ; and which were not only without remuneration, but in some cases, as that of the *Ædileship*, entailed a considerable expense. It was only when the majesty of the people was to be represented, that any assistance was given by the state to the magistrates ; at the reception of foreign ambassadors, for instance, or when they travelled abroad with the *imperium*, or as bearers of any public commission ; on which occasions, they received from the exchequer a sum of money sufficient for their outfit, travelling expenses, and support : but in later times this liberality was sometimes abused by persons who drew the state allowance when travelling on private business. 97. In the latter days of the Republic, the administration of the provinces was also extremely lucrative. Another difference was, in the time for which they held the appointment. During the Republic this was only one year, with the exception of the Censorship, which was held at first for five years, and afterwards, for a year and a half. By allowing so short a time, the Romans hoped to secure their freedom, and promote activity in the public offices. At a later period, however, the increase of their dominion rendered it necessary that the time of continuing in office in the provinces should be extended. A third distinction, which strikes us very forcibly, was the indifference of the state with regard to the qualifications of her magistrates, no proof of capacity being required previously to entering on the office, and its continuance being too short to teach any practical knowledge of business. Within no very considerable space of time the same individual might run through the whole course of official appointments, civil as well as military. 98. We can only explain this by supposing, that in those days the act of government was more simple than at present : many arrangements, which are now matters of state being left to private activity, and many of the details being intrusted to paid men of business. Lastly, the universal interest in public affairs which belongs to a republican form of government, the great publicity, and the concentration

of all the functions of state at Rome, rendered the necessary preparation easier to the candidates, and qualified the people for the prudent exercise of their elective franchise. On extraordinary occasions, such as the choice of a Dictator, and the election of Cicero to the Consulship, great foresight was employed. In matters of great importance, the magistrates were assisted by a *consilium*, e. g. the Consuls by the Senate, the provincial officers by the nearest Senators (Sallust, Jugur. c. 62), and the general by his council of war. The inferior officials had also considerable influence.

§ 13. *The subject continued.*

99. Until the time of Tiberius the people chose their own magistrates. At first it was necessary that they should be Patricians, but at a later period it was considered sufficient that they were free born. The Plebeian offices (the Tribuneship of the people, and the Plebeian Ædileship) could not be held by Patricians. If a Patrician desired to fill one of these offices, it was necessary for him to be admitted by adoption into a Plebeian family, as in the case of Clodius. The offices were sought for and held in the following order: *Quæstor*, *Tribunus* or *Ædilis*, *Prætor*, *Consul*, *Censor*. Originally it was a necessary qualification for office, that the candidate should have served ten years in the army; afterwards a certain age was required, which was fixed by the *lex Villia annalis* (B. C. 180) at twenty-seven (or thirty-one) for the Quæstorship, thirty-seven for the Ædileship, forty for the Prætorship, and forty-three for the Consulship (*consul suo anno*, i. e. elected as soon as he was eligible). 100. All candidates for offices (*candidati*, so called from their *toga candida*) were required to give in their names (*nomen profiteri*) to the magistrates who presided in the *comitia*, in order that their qualifications might be examined, and at the same time they endeavored to secure votes by recommending themselves to the people (*ambire*, *ambitio*, *ambitus*, *prensare*). In

the early times the magistrates generally entered on their office (*inire magistratum*) on the first of January, with the exception of the Tribunes of the People, who commenced their duties in December. Between the election and their entrance on office, they were termed *designati*. At their investment the auspices were held, and an oath administered (*jurare in leges*). 101. No one could hold two of the higher offices at once, nor be re-appointed to the same within ten years. Some of these regulations were relaxed on special occasions (*legibus solvi*). Thus Scipio Africanus *minor* was chosen Consul the first time in his thirty-seventh year (B. C. 147), on account of the Carthaginian war, and the second time, without being a candidate for the office (B. C. 134) on account of the Numantian war. C. Gracchus was chosen a second time Tribune of the People without canvassing (B. C. 122), and Marius, the second time Consul (B. C. 104) during his absence on account of the Cimbrian war.

§ 14. *Of their authority and its limits.*

102. The general term for magisterial authority is *potestas* (e. g. *Tribunus Militum consulari potestate* ; *tribunicia potestas*). The power of the Roman magistrates within their own jurisdiction was very considerable. They had the right of publishing edicts each within the province of his own office, of taking the auspices (with the exception of the Proconsuls and Proprætors), and of holding *conciones*. As a general rule Comitia and meetings of the Senate could only be held by the higher magistrates ; the Censor, however, could not call the Senate together, and his official intercourse with the people was confined to the public meetings. Of the inferior magistrates, only the Tribunes, on account of their peculiar position in the state, had the right of assembling the Senate. The magistrates had also the power of enforcing their authority by the infliction of fines (*mulctam dicere*). 103. The higher officers enjoyed the *vocatio*, that is,

the right of summoning any absent person before them by virtue of their office; and the inferior ones, such as the Tribunes, possessed the *prehensio*, that is, the right of arresting any one who was present. A magistrate could not be cited before a tribunal during the continuance of his office;¹ but in very strong cases, such as that of Lentulus in Catiline's conspiracy, he was compelled to abdicate previously to his trial. As a general rule, however, he was irremovable, but might voluntarily retire from office if the auspices had not been correctly taken (*abdicare se magistratu*). The highest official authority, which belonged to the Consuls and Prætors, was called *imperium*, a term originally expressive of a military command, but afterwards used for the right *agendi cum populo*, and of compelling obedience. 104. The *imperium* was committed to the magistrates by a *lex curiata*, but could not be exercised by the pro-magistrates at Rome. Thus if a pro-magistrate who enjoyed the *imperium* in one of the provinces desired to have a triumph at Rome, it was requisite that the *imperium*, strictly so called, should be conferred on him for that day by a *plebiscitum*. Security against malversation in office was afforded by the *provocatio* to the people;² by the *intercessio*, either of a Tribune of the People, or of a magistrate of equal or superior rank, and by the responsibility to which the magistrates were subject after the expiration of their term of office. The insignia of the higher magistrates were the *toga prætexta* (329), *sella curulis*³ and *lictors* with *fascēs* (130)

¹ "The proposition, thus generally stated, is at least very doubtful. Compare amongst others *Drumann*, *Hist. of Rome*, I. p. 62."—*Osenbruggen*.

² The *provocatio* existed in the time of the Kings, but was subsequently confirmed by a *lex Valeria* (B. C. 509), and two more recent *leges Valeriæ* (B. C. 449 and 300). Under this head may be classed the Porcian and other laws, by which corporal punishment was abolished, and banishment substituted for death, and a *lex Sempronia* introduced by Gracchus, which enacted that no judgment should fall on a Roman citizen's *caput*, *injussu populi*.

³ The *Sella curulis* was the *chair of state*, resembling a camp-stool, but with legs of a *double curvature*. It was inlaid with *ivory* (hence

before those who had the *imperium*. The ex-magistrates (*censorii*, *consulares*, *prætorii*, *ædilitii*, *quæstorii*) enjoyed a rank corresponding to that of the offices which they had filled.

§ 15. *Consuls, Decemviri, Military Tribunes with consular authority.*

105. The original name of the Consuls seems to have been *Prætores*. They were the highest office in the state, and exercised authority over all other magistrates, except the Tribunes. From them the year was named. They took the lead in the deliberations of the Senate and the popular assemblies, carried their decrees into effect, and transacted the most important occasional business, but after the introduction of the Prætorship had little to do with the ordinary administration of justice. In time of war they levied the army, and partly chose the Tribunes, Centurions, and as many *legati* as had been voted by the Senate. If there were only one war, the command was generally divided. In the event of there being more than one, the apportionment took place either by lot (*sortitio*), or by verbal agreement (*comparatio*). If necessary on account of the war, their term of holding the *imperium* was extended (*prorogabatur*). 106. In the latter days of the Republic they commanded the army, not in their year of Consulship, but in the following year as Proconsuls. If a Consul died during his year of office, another was chosen in his place (*subrogatus*, *suffectus*). The distinctive mark of the consular dignity was twelve *lictors* with *fasces* (130), who preceded each Consul in turn for a month (the other being preceded only by an *accensus* : but in the *camp*, each Consul had the *fasces*).⁴ In the time of the Emperors, the

ebur curule) ; its name is derived from its being fitted to be carried in a carriage (*currus*), when it was folded up. The derivation from *curia* is less probable, as *curulis* is the regular adjective from *currus* · e. g. *equi curules* (in the Circensian games), *curules triumphi*, &c.

⁴ The meaning of *Consul Major* is uncertain : (1) either the Consul who was elected by the greater number of votes : or (2) the *elder* : or (3) the Consul who had the *fasces* (but this would make the term belong

Consulship lost its importance; several were chosen every year, who continued only a few months in office (*ordinarii—suffecti*). After the partition of the empire, the Consuls were not doubled, but were chosen sometimes in the East, sometimes in the West, and now and then one in each. The last occasion on which a private individual filled the office was in the year A. D. 541. 107. The succession of Consuls was twice interrupted for a time. In the first instance by the *Decemviri* who were chosen in B. C. 451, for the purpose of framing a legal code, the other offices and the *provocatio* (104) being meanwhile suspended. This office was filled in the first year by Patricians, in the second year half of them were Plebeians. The second interruption was caused by the disputes which arose in consequence of the Canuleian project of law (B. C. 445) respecting the admission of Plebeians to the Consulship. It was agreed on this occasion that *Tribuni Militum consulari potestate* should be created, and that Plebeians, as well as Patricians, should be eligible to the office. This form continued, with the occasional revival of the Consulship, until the passing of a law proposed by Licinius (B. C. 367), which provided that one of the Consuls should be chosen from the Plebeians. The number of these Tribunes was at first three or four, and subsequently six.⁵

§ 16. *Prætors*.

108. The *Prætorship* must be viewed as a branch of the Consulship, which in the course of time, when business increased, was separated from that office. This happened in the year B. C. 367, and is generally represented by historians in the light of an indemnification to the Patricians for being compelled to share

alternately to both). Gellius says that by the *lex Julia* the title was conferred upon the one who had the most children, including those who had fallen in war. Niebuhr thinks it belonged originally to him who was chosen from the tribe of highest rank, the *Ramnes*.

⁵ In Liv. 5. 1. eight are mentioned, an account which can hardly be correct.

the Consulship with the Plebeians. How closely this magistracy resembled the Consulship may be inferred from the fact, that the Prætors were the deputies of the Consuls in the Senate and the Assemblies of the people, and that they sometimes even took the lead in questions relating to war, and commanded the armies of the state; and also from the circumstance that the office in the earlier times was often filled by *Consulares*. 109. The especial province of the Prætor was the administration of justice. At his entrance on the office, he published an edict in which the rules of law by which he intended to be guided were set forth, and older edicts altered or modified as occasion required. Arrangements were also made by him for the administration of justice, and judges or *jurors* chosen (*judices dare*). It is worth observing, nevertheless, that in appointing to this office, no regard was had to the legal knowledge of the candidate, who was obliged, if he did not possess it, to obtain the assistance of regularly educated jurists. The Prætor had also the management of the costly *ludi Apollonares*. In the year B. C. 242 the office was divided, the *Prætor urbanus* being charged with the settlement of disputes between citizens, and the *Prætor peregrinus* with those which occurred between foreigners, or foreigners and citizens. By the edicts of the former the *jus civile*, and by those of the latter the *jus gentium* was enlarged.⁶ Sometimes, however, the duties of both offices were discharged by the *Prætor urbanus*, when the services of the *peregrinus* were required in the camp. 110. When Sicily and Sardinia were added to the list of Roman provinces, the number of Prætors was raised to four, and after the conquest of Spain to six, for the especial administration of the provinces. But as in the meantime the *quæstiones perpetuæ* had been introduced (B. C. 144), which were committed to the four Prætors, they generally remained at Rome, and administered the provinces as Proprætors.⁷ At a later period

⁶ "A very doubtful assertion."—*Osenbrüggen*.

⁷ From the time of Sulla to that of Cæsar, on account of the number

their number was raised to sixteen. Under the Emperors this office also lost its importance, its duties being restricted for the most part to the management of the public games. The Prætors had *lictors* with *fasces* (130), in the city two, and in the provinces six

§ 17. *Censors.*

111. By the constitution of Servius Tullius, the supreme magistrate was required to hold, every five years, a muster of the citizens for the purposes of taxation and conscription (*censum agere*). In the days of the Republic this duty was discharged by the Consuls; but in the year B. C. 443 an especial magistracy, originally patrician, was created, viz., that of the two Censors, who continued in office at first five years, and subsequently a year and a half. The census, however, on account of religious scruples or other circumstances was not always held within the time appointed by law. The Censor had no concern either with the administration of justice or the affairs of war, and consequently possessed no *imperium*, and with the exception of the registration, had no right to deal officially either with the people (*agere cum populo*) or with the Senate; still the office continued to be one of great influence and importance (Livy 4. 8.), and as requiring public confidence and respect, was latterly filled exclusively by *Consulares* and could only be held once.^s 112. The quinquennial census was held according to a form previously settled by the Censors in the *villa publica* on the *campus Martius*. Each citizen was required, on pain of being punished as an *incensus*, to insert his name in one of the lists, which were arranged *tributim*. He was obliged to deliver in on oath a statement of his own name and that of his father, his age, landed property, and the rest of his *res mancipi* (145) but not

of *questiones*, special judges (*judices questionis*) were appointed, who were not magistrates. Madv. de Ascon. Ped. p. 121.

^s We have only a single instance of a person's being elected a second time to the Censorship.

of his ready money, or his property in the *ager publicus* or in the provinces. No debts were taken into the account. A tax was then imposed proportionate to the property, and sometimes an extraordinary impost might be laid on unmarried persons, and increased in proportion to the expenditure.⁹ 113. To these duties of the Censor was added the *censura morum*, or guardianship of public morals, with the right of inflicting the penalty of ignominy (not *pæna*, but *nota, animadversio, ignominia*), generally on those who were guilty of impiety towards their family, perjury, a disorderly course of life, faithlessness towards clients, extravagance, refusal to serve in the army, and such like offences. The penalties were, expulsion from the Senate (*senatu movere*),¹ or from the equestrian order (*equum adimere; vende equum*); the punishment expressed by the term *tribu moveri*, which means either removal into an inferior *tribus* (that is, into one of the *city* tribes), or was equivalent to *in Cæritum tabulas referri*,² i. e. to being reduced to the condition of a *civis sine suffragio*; and lastly *ærarium facere*, which probably means a discretionary increase of the offender's property tax. 114. In the earlier times all citizens were personally enrolled at Rome; but when all the Italians were admitted to the privileges of citizenship, the provincial lists were forwarded from the country to Rome. Either of the Censors might reverse the judgments of the other, and the Censors of the following *lustrum*³ might remove the *ignominia* inflicted by their predecessors. If one of them died, his colleague was obliged to resign his office. 115. An especial branch of the Censor's duty was the care of the public buildings and places of recreation, and the farming out of the public revenues, and

⁹ This part of the Censor's duty ceased of course with the removal of the property tax B. C. 167.

¹ In the year B. C. 70, sixty-four members were expelled the Senate.

² After the Gallic war a *hospitium* was concluded with the inhabitants of Cære in Etruria, who were afterwards made *cives sine suffragio*.

³ *Lustrum* = *spatium quinquennale*; it was properly the name of the great national purification solemnized every five years, at the closing of the *census*.

making contracts subject to the authority of the Senate. For taking these contracts and providing the necessary security, large companies were formed consisting of the richest citizens, especially the Knights (*publicani*). After the year B. C. 50, no more Censors were chosen by the people, nor was any census held. During the imperial reigns the office was sometimes discharged by the Emperors themselves, but nevertheless fell gradually into disuse.

§ 18. *Curule and Plebeian Ædiles.*

116. Contemporaneously with the Tribunes of the People two Plebeian Ædiles were also created to act as managers of the plebeian religious festivals, and as assistants of the Tribunes. At a later period, when the Licinian law was passed (B. C. 367), two Curule Ædileships were added, which from the beginning seem to have been held alternately by Patricians and Plebeians. The duties of the Ædiles were the management of the public games, superintendence of public buildings, squares, water-courses, streets, and roads,⁴ administration of the police, and punishment of certain offences against its rules. They were also charged with the duty of securing a sufficient supply of grain⁵ and other wholesome provisions, and of inspecting and settling weights and measures. 117. The difference between the Plebeian and Curule Ædiles was unimportant; it would seem, however, that the latter, who were permitted to bear the same insignia as the higher magistrates (104) were charged with the management of the *ludi magni maximi* or *Romani* (290), and *Megalesii* (289). From the time of the first Punic war these games were celebrated principally at the expense of the Ædiles themselves, and towards the end of the Republic, enormous sums were expended as a means of recommending them to higher offices.

⁴ What relation they bore in this particular to the Censorship is not distinctly known.

⁵ In extraordinary cases a *Præfectus annonæ* was chosen.

Cæsar added two *Ædiles Cereales*. We hear nothing of this office after the third century.

§ 19. *Quæstors*.

118. The origin of this office is unknown. It is supposed by some to have been established in the time of the Kings. Thus much we know, that the Quæstors were chosen at first by the Consuls, but after the year B. C. 447 by the people, and that the office originally was patrician, and filled by two persons, to whom two others were subsequently added. These last accompanied the Consuls in their campaigns. After the complete subjugation of Italy (since B. C. 265), four new officers were added for Italy. Sulla increased the number to twenty. 119. The city Quæstors kept the accounts of the *exchequer* (*ærarium*), and managed its receipts and expenditure under the direction of the Senate; they also received foreign ambassadors, and had charge of the standards and archives of the state, which were kept in the *ærarium*. The provincial Quæstors managed the financial affairs of the provinces, provided for the transmission of coin to Rome, kept the accounts of the war department, and were intrusted with the custody and sale of the booty. Latterly their provinces were assigned to them by lot. The Quæstorship was the first step to the higher offices of state, and gave its holder the right of attending the meetings of the Senate, the vacancies of which were latterly in a great measure filled up from the Quæstors. The office continued with many alterations through the imperial reigns; but the city Quæstorship was reduced to insignificance by losing the management of the *ærarium*. 120. Under the Quæstors, in ancient times, were the *Tribuni æarii*, who were charged with the payment of the soldiers. They seem to have been private citizens, with a fixed and not inconsiderable *census*, who were intrusted with the collecting and disbursing, or perhaps only with disbursing the pay of the soldiers. This office had disappeared in Cato's time.

and the name, which was afterwards revived, was used in a different sense.

§ 20. *Tribunes of the People.*

121. When the people, excluded from public employments and overwhelmed with debt, rose against the Patricians in the year B. C. 494,⁶ a compromise was effected by the establishment of an office called the Tribuneship of the People, which was pronounced *sacrosanctus* (i. e. the person of the holder was declared inviolable) by a *lex sacrata*.⁷ The number of the Tribunes was at first two or five, but after the year B. C. 457, it was raised to ten; all of whom, by a later enactment, must be chosen from the people, no right of co-optation being reserved to the Tribunes themselves. They were not strictly speaking magistrates, nor had they any especial office in the government, but were simply bound to protect the Plebeians by their *intercessio* against the encroachments of the Patricians. 122. They soon, however, arrogated to themselves the right of summoning the Patricians before the tribunal of the people, and by degrees assumed the initiative in the proposal of laws at the *Comitia tributa*. When the distinction between Patricians and Plebeians lost its political importance, the object of the *intercessio* was to oppose those encroachments on the rights of the people, which were attempted by the government through decrees of the Senate, or exhibited in the conduct of public officers; and this *intercessio* was sometimes enforced by confiscation or arrest. They had

⁶ This was the first secession. The second took place in the year B. C. 449, in consequence of the dissatisfaction caused by the government of the Decemviri; the third in the year B. C. 286, on account of the oppressed condition of the people.

⁷ *Leges sacratae* were certain laws which provided that those who transgressed them should be *sacri*. They were especially such as were enacted to secure the sanctity of the people's rights, e. g. the provision that the Tribunes of the People should be Plebeians, or that proceedings affecting the *caput* of a Roman citizen should only take place in the *Comitia centuriata*.

the right of attending the meetings of the Senate, and of calling it together. One Tribune could nullify the decisions of the rest by his *intercessio*,⁸ a right which often afforded to the opposite party the means of rendering the *intercessio* of the Tribunes inoperative. 123. Tiberius Gracchus, however, ventured to propose to the people the deposition of a protesting Tribune. Their authority extended only 1000 *passus* beyond the boundaries of the city, nor could they be absent from Rome one whole day. No Patrician, nor any citizen whose father was still alive and had filled a Curule office, was eligible to this dignity. With the decline of public morals abuses in the *intercessio* often occurred, e. g. in the case of Bæbius in the Jugurthine war. (Sallust. Jugurth. cap. 34.) Sulla deprived the Tribunate of its most important privilege, the initiative in proposing laws, and only left it the *auxilii latio*; but these restrictions only continued to the Consulate of Pompey and Crassus (B. C. 70). Augustus received the *Tribunicia potestas*, with which succeeding Emperors were also invested. The Tribunate was retained, but without the possession of any influence or authority.

§ 21. *Inferior Officers.*

124. Among these we may reckon the *Triumviri capitales*, who were charged with the execution of police ordinances, the discovery of offenders, arrests, the superintendence of prisons and executions, and the punishment of slaves and inferior persons; the *Triumviri monetales* (or *iii Viri AAAFF.* = *auro, argento, æri flando feriundo*), who superintended the coinage, which generally took place at Rome; four *Curatores viarum*, two for Rome, and two for the immediate neighbourhood. These were charged with the construction of roads: but the maintenance of the great public highways was let by contract to persons appointed by the Censors. The *Decemviri litibus judi-*

⁸ This does not seem to have been originally the case.

candis. All these officers were called collectively the *Vigintiviri*. Lastly, the *Triumviri nocturni*, or superintendents of the precautions against fire.

§ 22. *Extraordinary Magistrates*, Dictator, Interrex, Præfectus urbi.

125. The extraordinary magistrates were those who, under peculiar circumstances, undertook the functions of the others. A *Dictator*, or *Magister Populi*, appears to have been chosen, for the first time, in the year B. C. 501, in the occasion of a dangerous Latin war, and subsequently was often elected (*dictatorem dicere*) during foreign wars or intestine disturbances, and sometimes even for less weighty reasons, e. g. for the holding of Comitia, conducting the public games, and, after the battle of Cannæ, for the purpose of choosing senators. Originally they were elected at the *Comitia curiata*, on the recommendation of the Senate; and after the auspices had been taken, the newly-elected magistrate was invested with the *imperium*: at a later period, the Dictator seems to have been chosen by the Senate or the Consuls. 126. He received, or chose for himself as an assistant, a *Magister equitum* (*Mag. equ. dicere, cooptare*), with the rank of Prætor. Originally, the Dictator possessed full kingly power, without appeal (*provocatio*), and, therefore, had twenty-four *lictors*, with the *fascēs cum securibus*; all other offices were suspended, with the exception of the Tribunate. The Dictatorship, however, lasted only six months, and in most cases was laid down at the end of a much shorter period, as soon as the affairs, on account of which it was assumed, were completely settled. The office was, at first, patrician; but, subsequently, was held also by Plebeians. At a later period, its power was circumscribed; the Tribunes might resist the abuse of the dictatorial power, and some of the higher magistrates were also allowed to continue in office under the Dictatorship. At the end of the Republican period, Sulla

and Cæsar were invested with a perpetual Dictatorship 127. On the death of a King, according to Livy, the Senators formed *Decuriæ*, each of which had its President; the ten were charged with the government, but only one had the insignia of office. The supremacy of each Decuria lasted, however, only five days; and, in this manner, the interregnum was continued until a new election. In the time of the Republic this practice was revived, when it accidentally happened that no magistrate was present to hold the Comitia; for instance, in the year B. C. 444, when the three first *Tribuni Militum consulari potestate* were compelled to lay down their offices because the auspices had not been correctly taken. The *Interrex* was chosen from the Patricians (*interrēgem creare, prodere*), and this office always remained patrician. After a long interval we again find *Interrēges* towards the end of the Republic. 128. We have already mentioned the *Præfectus urbi*, or *Custos urbis*, a Viceroy appointed to act during the absence of the King. Such an officer was retained in the time of the Republic as representative of the Consul, when he was absent at the *feriæ Latinæ* (288). This, however, was merely the observance of an old custom; the official duties of the Consul being discharged, strictly speaking, by the Prætor. Augustus introduced a police magistracy under this name, which, by degrees, under the Emperors, became an office of importance.

§ 23. *Inferior Officers.*

129. A number of inferior officers were placed at the disposal of the magistrates for the transaction of the less important business. The most considerable among these were the *Scribæ*, who formed a corporation (*ordo*) which was divided into *Decuriæ*, and paid by the state. The places in this corporation were saleable. At first they were not much esteemed, being generally *libertini*, but afterwards the office became one of importance; and on account of their

experience and knowledge of business, the Scribes often acquired considerable influence over the less experienced magistrates. They were distributed among the magistrates by lot (*Scribæ, Consulares, Prætorii, &c.*). 130. An inferior order of public servants were the *Præcones*, or Heralds; the *Lictors*, who preceded the higher magistrates (with the exception of the Censor and Curule *Ædiles*), to indicate their office and execute their commands.⁹ *Apparitores, Accensi* (Serjeants), *Viatores* (Messengers). The magistrates had also *servi publici* to wait on them.

§ 24. Commissioners appointed for special purposes.

131. Among the extraordinary commissioners appointed for the temporary management of particular affairs (*Curatores*), we find the *Præfecti annonæ*,¹ who were appointed in the olden time to regulate the supply of grain in seasons of scarcity; e. g. L. Minucius, in the year B. C. 440. There were also *Triumviri, Quatuorviri, Decemviri coloniis deducendis* or *agris dividendis, Duumviri ædibus dedicandis*, and many similar offices.

ADMINISTRATION OF THE STATE.

A. The Laws and their administration.

§ 1. Classification of the Laws.

132. The Roman jurists make a distinction between *jus publicum*, i. e. the regulations observed in the Roman state for the maintenance of the constitu-

⁹ They bore the *fasces*, or bundle of rods tied up with an axe (*securis*), before the Consuls in the camp: but in the city, by a law of *P. Valerius Publicola*, only one Consul had the *fasces*, and neither of them the *secures*. In the camp the Prætor had six Lictors, with the *fasces* and *secures*. See Dict. Antiq. s. v. *fasces*.

¹ The office of *Præfectus annonæ* was revived in the person of Pompey, and was re-established as a standing employment in the time of the Emperors.

tion, and the administration of public affairs, and the *jus privatum*. To the latter belongs the *jus civile*, or rights peculiar to the Romans, and the *jus gentium*, or code by which all the nations known to the Romans were bound.

§ 2. *Origin of the Legal Codes.*

133. The *jus civile* owes its origin to customs which, at a very early period, were sanctioned by fixed laws, among which the most ancient were those named the *leges regiæ*.² The groundwork of all succeeding legislation was the decemviral code (B. C. 451–450), which was augmented by the addition of statutes, *leges centuriatæ*, as well as *leges tribuniciaæ*, after the *plebiscita* (resolutions of the popular assembly) had acquired the force of laws. These laws were drawn up by the magistrates, and approved by the people.³ The edicts of magistrates, especially of the Prætors, were thus an important element in the legal code, and composed what was called the *jus honorarium*. The *Prætor urbanus*, for instance, when he entered on his office, published the regulations which he intended to adopt during his administration. 134. This edict, it is true, only continued in force for his year of office; but the more important provisions were copied from one edict into another, and after the time of Cicero, the whole might be considered as a settled code, which was never much altered in any essential particular. We must not, therefore, look on the edicts as merely capricious regulations, but rather as ordinances by which the more ancient provisions, which had become obsolete, were repealed, and new rules introduced with a regard to the rights of custom or of justice. Through these edicts the *jus civile* was developed in the same manner as the *jus gentium* through the edicts

² We find some fragments of these, as well as of the laws of the Twelve Tables, in ancient writers.

³ It has been disputed, whether the decrees of the Senate were also a source *juris civilis*; but it hardly seems probable that they could have had.

of the *Prætor peregrinus* and the provincial authorities.⁴ The development of the common law, or law of custom, was also promoted by judicial decisions (*res judicatæ*), and the *responsa* of well-known lawyers, who became important personages in the time of the Emperors, when *respondents* were publicly appointed.

§ 3. *Same subject continued—Under the Emperors.*

135. From the time of Augustus, the decrees of the Senate, and, at a subsequent period, the imperial ordinances (*constitutiones principum*) had the force of law. The edicts of the Prætors were gradually brought to a close, but the writings of Jurists became more voluminous. At a later period many collections of royal ordinances were made, such as the *codex Theodosianus*, a work compiled under the sanction of the Emperor Theodosius II.; together with its Appendix, *Novellæ*. 136. Under Justinian there appeared a celebrated collection of laws, which was divided into three parts:—(1) The *Codex*, an assemblage of constitutions, especially those which related to the rights of private persons. (2) The *Digestæ*, or *Pandectæ*, a selection from the writings of the most renowned interpreters of the law. (3) The *Institutiones*, a short system of jurisprudence. To these were subsequently added the *Codex Repetitæ Prælectionis*, a revision of the *Codex* (which was thereby repealed *O.*), and the *Novellæ*, an appendix containing later ordinances. Almost contemporaneously with Justinian there appeared collections of laws also in the Western Empire.

§ 4. *Judicia publica and privata.*

137. The administration of justice extended partly to *causæ publicæ*, and partly to *causæ privatæ*. The *causæ publicæ* had reference to the whole state; the *privatæ*, to the rights of individuals or private offences,

⁴ Very doubtful. *O.*

such as theft ; hence the divisions of trials into *publica* and *privata judicia*. In both cases it is a peculiarity of Roman law, that the investigation of facts and the application of the law to the case were not, as they are with us, the business of the same person, the Judge ; but, in the time of the Republic were strictly separated : the legal question being examined and decided by a magistrate, the question of fact by *judices* (*judges* or *jurors*), who were no magistrates, but private individuals. The proceeding before the magistrates is styled *jus*, that before the *judices*, *judicium*. It was not essential that either the magistrate who decided the law of the case, or the judges who pronounced in the question of fact, should be lawyers ; but in doubtful cases they were required to avail themselves of legal advice.⁵

§ 5. *Magistrates.*

138. The administration of justice was at first in the hands of the Consuls, but, at a later period, in those of the Prætors. The Prætor settled the general mode of proceeding by his Edict, and chose judges or jurors for the trial of individual causes. After the preliminary proceedings (*in jure*), he gave them instructions with respect to the *factum*, on which he left them to decide. It was the Prætor's duty to provide that their sentence, when pronounced, should be carried into effect. The collective name for the exercise of the Prætor's judicial functions was *jurisdictio*, and it was indicated by the words *do* (*judices*), *dico* (*jus*), *addico* (*judicatum*). He presided in the judicial Comitia. The *Prætor urbanus* was occupied in the settlement of lawsuits between citizens and foreigners, or between one foreigner with another. 139. The

⁵ We must, however, remember that legal knowledge, in the time of the Republic, was more widely diffused than in our day. The laws of the Twelve Tables were often, in the olden time, learnt by heart by schoolboys. The publicity of judicial proceedings contributed also to the dissemination of this knowledge.

other Prætors were charged with the administration of criminal justice, after the introduction of the *quæstiones perpetuæ* (182). In the municipal towns and colonies justice was administered in a similar manner by a local magistracy. In the provinces the jurisdiction was exercised by the Governor, in accordance with a provincial edict, and agreeably to the peculiar circumstances of the province. In the days of the Empire the chief magistrate was the Emperor himself, and under him were the Senate, the *Præfectus urbi*, and other magistrates. The difference between *jus* and *judicium* (137) ceased after the reign of Diocletian, when the magistrate himself was the judge (both of the *law* and of the *fact*).

§ 6. *Judices*.

140. The investigation of the *factum*, and the judicial decision consequent on such investigation, belonged to private judges, or rather jurymen, who were chosen by the Prætor according to fixed rules, and divided into *Decuriæ* (*Judices selecti*; in certain cases called *Arbitri* and *Recuperatores*).⁶ By these judges, public as well as private questions were decided. At first they were Senators; but from the time of C. Gracchus, the office was held by Knights. At a later period, many attempts were made to restore the *judicia* to the Senate, but this was not effected until the time of Sulla. Under the Consulate of Pompey and Crassus (b. c. 70), they were divided among the Senators, Knights, and *Tribunii ærarii*,⁷ but were taken away from the *Tribuni ærarii* by Cæsar. In the municipal towns and provinces the judicial functions were also discharged by citizens selected for that

⁶ See note on this chapter in the Questions upon it.

⁷ These were persons chosen from the class of Plebeians, with a qualification of 200,000 H.S. Their name is borrowed from the old *Tribuni ærarii*, who, whilst their office, which had long been discontinued, remained, acted as assistants to the Quæstors; and, as persons intrusted with considerable sums of money, were necessarily required to be of proved solvency.

office. 141. Besides the court of the *Prætor* we read also of a centumviral court, which, undoubtedly, was a very ancient tribunal for the settlement of civil questions, especially those which affected the rights of property and inheritance. We are not, however, accurately acquainted with the extent of its jurisdiction. The number of the judges was properly one hundred and five; three for each of the thirty-five *tribus*. We find them still existing in the days of the Empire. Mention is also made of a Decemviral court (*Decemviri litibus judicandis*), concerning which very little is known.

§ 7. Counsel—*Advocati*.

142. The counsel (*Patroni, Oratores*) were not necessarily accomplished jurists any more than the other legal officers. After the passing of the *lex Cincia de donis et muneribus* (B. C. 204), they were not allowed to receive money or presents: at a later period, however, the *salarium* became general. Another class of counsel were the *Advocati*, friends of the contending parties, who attended for the purpose of displaying their sympathy, and assisting the litigants with their advice.

§ 8. *Jurists*.

143. The Jurists (*Jurisconsulti, prudentes*) were all of them originally Patricians, as being the only class acquainted with the *fasti* and *actiones*, or ancient forms of process. They directed the *Prætor* as well as the *Judices*, gave the litigants advice and rules for their conduct (*respondere de jure, cavere*), and compiled documents (*scribere*). Their answers had often an indirect influence even on legislation; and this influence increased considerably in the days of the Empire. In the reign of Augustus there arose two schools of Jurists, differing from one another in their interpretation of the law. One of the most renowned Jurists

was Gaius, who flourished in the reign of Antoninus. Many important fragments of his works have been discovered by Niebuhr.

Private Rights.

§ 9. Qualification.

144. The chief qualification for the enjoyment of civil rights was the being a free Roman citizen, none other having the *connubium* and *commercium*. Thus slaves and those who had undergone a *capitis deminutio*, *maxima* and *media*, were excluded from a participation in these privileges. By the same rule, foreigners were at first devoid of rights. By degrees, however, the severity of these regulations was relaxed, especially by the edict of the Prætor, and more liberal forms were introduced. Another qualification for the full exercise of civil rights, was independence of the severe Roman domestic discipline (*patria potestas*), or being *sui juris*. No citizen could engage in any legal process until he had attained a certain age; but latterly, regulations were also adopted for the benefit of minors, subject to such restrictions as were necessary for their protection.

§ 10. Classification of Private Rights—Rights of Things.

145. Private rights are divided by Jurists into rights of things, rights of obligation, family rights, and rights of inheritance. In speaking of the rights of things they distinguish between occupation (*possessio*, or the usufruct and right of employment, e. g. of the *ager publicus*) and actual proprietorship or ownership (*dominium*).^a This *dominium* was either the strict Quiritarian right of property (*ex jure Quiritium*), or that natural right which even *peregrini* might possess.

^a This expression was not in use so early as the time of Cicero.

The strict right of *ownership*, with reference to *res mancipi* (i. e. certain possessions which in the olden time were considered of the greatest importance, such as Italian freeholds, slaves, fourfooted beasts, &c.),⁰ could only be acquired by the observance of certain stringent forms. 146. The most important of these forms, all of which presuppose the person about to acquire the *dominium* to be in possession of the *civitas*, were: (1) *mancipatio*, i. e. a symbolical representation of a purchase in presence of five witnesses (who must be *puberes* (160 note), and a *libripens*.¹ This form was used also in adoption and emancipation. A similar legal process, by means of a symbolical weighing out of the purchase-money, was called *nexus* or *nexum*, which, however, is in some cases distinguished from *mancipatio*. (2) *In jure cessio*, i. e. renunciation in form of a process, by which the magistrate assigned (*addicere*) the property to the claimant.² (3) *Usucapio* or prescription (*dominii adeptio per continuationem possessionis*, Ulp.), by which natural possession might become Quiritarian. The period that established prescription for immoveable property was two years, for other property one year. The regulations respecting prescription were afterwards altered.

§ 11. *Rights of Obligation. Obligation by Contract.*

147. *Obligatio* is such a relation between two persons as gives to the one a certain claim on the other, or entitles him to require the performance of certain offices. According to the Roman Jurists, all obligatory rights owe their origin either to *contractus* or *delictum*.³

⁰ Things of which the ownership could not be so acquired, were *nec mancipi*.

¹ So called *quia libram æneam tenebat*: the purchaser holding the thing to be purchased, struck the scale with a brazen coin, asserting that the thing was now *his*, purchased *ex jure Quiritium* by that coin.

² The three parties were the seller (*in jure cedens*), the purchaser (*indicans*), the Prætor (*addicens*).

³ Many matters were thus the subject of civil proceedings, which with us would be tried in a criminal court, e. g. theft and robbery.

By the old strict Roman law, contracts could be entered into only between citizens, and were confined to certain set forms. At a later period they were entered into also by *peregrini ex jure gentium*, and the severity of the ancient law of obligations was relaxed by the Edict of the Prætor. 148. The principal forms for contracts are: (1) *nexus*, i. e. a transaction in presence of witnesses *per æs et libram*; and this symbolical borrowing had the force of an actual obligation, which was thereby established. By the laws of the Twelve Tables the condition of debtors who bound themselves by *nexus*⁴ was one of great hardship; the insolvent debtor being liable to be put to death or sold as a slave, or, as was more commonly the practice, being compelled to work out the debt in his creditor's household. In the year B. C. 326 a law was passed exempting the person of the debtor from imprisonment in chains. At a later period, however, we find that punishment again inflicted for debt. (2) Verbal contract (*stipulatio*), which was entered into by means of a question from the creditor, and a corresponding answer on the part of the debtor (*sponsio, responsio*). (3) Written contracts, which must be in the Latin language, and have especial reference to the entry in the ledger *codex (tabulæ) accepti et expensi*, which was kept by every Roman man of business, and was admitted as evidence of debt. 149. To impose such an obligation, is styled *nomina facere (scribere, perscribere)*, and consisted in entering the debtor's name with the sum due among the disbursements. This entry could of course only take place with the acknowledgment and consent of the debtor: but we are ignorant of the form in which such consent was conveyed. Payments were fre-

⁴ The difficulty of payment was greatly increased by the high rate of interest, and disturbances often arose in consequence. A certain rate was at first fixed by the Twelve Tables; but although many subsequent laws were also enacted for the purpose of diminishing usurious interest, it still continued to be a fruitful source of discontent. In the provinces, especially in later times, the evil reached an enormous height. An extraordinary measure for the diminution of debts was the *tabulæ novæ* in the time of Sulla.

quently made through bankers (*argentarii*, *mensarii*, *trapezitæ*), in whose hands many persons deposited their property, and whose books were often admitted as evidence in legal proceedings. In the provinces obligations were incurred by *syngrapha*, that is, by a covenant signed and sealed by both creditor and debtor.

§ 12. *Obligation by delictum.*

150. Obligations *ex delictis* extended generally speaking to *furtum*, *rapina*, *injuria*, *damnum injuriæ datum*. (1) *Furtum* was styled *manifestum*, when the thief was taken in the act. By the laws of the Twelve Tables such an offender might be put to death with impunity, if taken in the night, or even by day, if he resisted. In any case he might be handed over to the owner of the property, and kept in chains. By the prætorian law, fourfold restitution was enjoined in cases of *furtum manifestum*; and twofold in those of *furtum nec manifestum*. (2) *Injuria*; by the laws of the Twelve Tables, the *talio* (the law of "an eye for an eye," &c.) must be enforced in cases of actual personal injury, unless the disputes were settled by compromise. For smaller offences of this description a pecuniary penalty was inflicted. By the prætorian law a higher fine was substituted for the *talio*. 151. (3) *Damnum*, or injury done to the property of another, was atoned for on certain terms fixed by the law. Predatory attempts on the property of others were viewed in the same light in the early days of the Republic; but when such attacks became common in the Civil War, a penalty in *quadruplum* was imposed.

§ 13. *Family rights—Marriage.*

152. By the Roman laws, a marriage, to be completely valid (*matrimonium justum*), presupposed *conubium* on both sides; that is to say, originally equality of rank, and afterwards, by the Canuleian law (B. C.

445), the possession of full political privileges (*civitas*). Such a marriage was contracted either in a stricter or in a looser form. The first of these consisted either of (1) *confarreatio*, i. e. a solemn sacrifice and several ceremonies in presence of the *Pontifex maximus* and *Flamen dialis*, followed by the conveyance of the bride to the bridegroom's house with various observances; or (2) *coemptio*, i. e. an imaginary purchase (*per æs et libram*), with certain settled forms; or (3) *usus*, i. e. a full year's cohabitation. 153. By these forms the bride was withdrawn from the control of her father or guardian, became in all respects a member of her husband's family, and was entirely subject to him (*in manu esse, conventio in manum*). By the looser form no such dependence was incurred, the wife still remaining subject to her father or guardian, or at her own disposal. The more strict marriage, especially that by *confarreatio*, gradually became rarer than the other form. *Matrimonium injustum*, or mixed marriages between Romans and foreigners, were invalid in law, and neither secured the rights of citizenship to the children, nor invested the father with the *patria potestas* (157).

§ 14. Same subject continued.

154. Bigamy and marriages within the nearest degrees of affinity, for instance, between a brother and sister, or even between adopted or step brothers and sisters, were strictly prohibited. The marriage was usually preceded by a betrothal (*sponsalia, sponsa, pacta*), which might be cancelled. When the marriage took place, it was customary for the parents or nearest relations of the bride to give a dowry (*dos*), concerning which, in later times, legal provisions were made. The marriage might be annulled, either when one of the parties underwent a *capitis deminutio maxima* or *media* (for instance by imprisonment or exile), or by divorce (*repudium*, properly speaking on the part of the husband; *repudium renuntiare, nuntium remittere, divortium, discidium*). 155. The marriages by *confarrea-*

tion (152) were dissolved by an act of *diffarreation*. In the older time divorces were very rare; but latterly they became much more frequent; and the marriages contracted under the less strict form were dissolved without any formality. The sanctity of marriage was enforced by the Censors, who sometimes imposed heavier taxes on unmarried persons. In the reign of Augustus a law, called the *lex Poppæa*, was passed, with the view of restraining celibacy, which had become almost universal.

§ 15. *The Parental Authority. Adoption. Arrogation.*

156. With a valid marriage was connected the *patria potestas*, which even in cases of adoption and arrogation, was very extended. Arrogation was used in the case of independent persons, and took place at the Comitia curiata in presence of the *Pontifex maximus*. By Adoption, dependent persons and minors were transferred to another guardian. It was concluded in presence of a magistrate by a threefold act of mancipation (146). We read also of adoption by will, or declaring a person heir of the testator on condition of his taking the same name. The father had the right of putting to death, scourging, selling, and disinheriting his adult children, and, under certain restrictions, of exposing new-born infants. 157. All property acquired by a son *in patria potestate* belonged to the father, who nevertheless was not obliged to discharge debts contracted by his children. Sometimes, however, the father granted to his son a private allowance (*peculium*), which he might resume at pleasure, or inherit in case of the son's death. The parental authority was forfeited by the father's or son's losing the freedom of the city; by arrogation on the side of the father, or adoption on that of the son; by the marriage of the daughter; or lastly by emancipation, which was effected by a threefold act of mancipation (146) and manumission.

§ 16. *Agnatio, Cognatio, Affinitas.*

158. In a legal point of view, a distinction was drawn between *agnatio*, *cognatio*, and *affinitas*. (1) *Agnatio* was that affinity which conferred a community of civil rights on persons connected by blood in the male line, e. g. sons of the same father, or cousins whose fathers were brothers. The Agnates enjoyed the right of inheritance, and the *tutēla*, or guardianship of minors. (2) *Cognatio* was the general term for the natural relationship; hence for such relationship as it existed between *peregrini*, *capite deminuti*, and blood relations in the female line, e. g. between the mother's brother and sister's daughter. (3) *Affinitas* was connexion by marriage. These two last had very little legal importance in ancient times, but were afterwards by the prætorian law pronounced valid grounds for a claim of inheritance or guardianship.

§ 17. *Gentilitas.*

159. By the term *gentes* in the most ancient times were understood those great alliances or clanships between Roman Patricians, which were held together by *nomen*, *sacra*, inheritance, or other bonds of union. To such a *gens* the *clientes* were attached as subordinate members. The Patricians alone claimed the term *gens*, although similar alliances probably existed among the Plebeians; and when at a later period marriages were contracted between patrician and plebeian families, doubtful questions would arise respecting the right of *gentilitas*.

§ 18. *Guardianship.*

160. The guardianship of minors,⁵ or the administration of their property, was either settled by will, or

⁵ *Impuberes* and *minores* must not be confounded. The age of *pubertas* . . . when the *tutēla* ceased, ended, according to Justinian's Code, at fourteen for a male, twelve for a female. They were *minores* till twenty-five.

fell to the nearest *agnati* (158), or, in default of any such, was fixed by the magistrate. The guardian who discharged his office unfaithfully was condemned by the laws of the Twelve Tables to forfeit double the amount of the property wasted, and was also subject to a certain description of infamy (*turpe iudicium tutelæ*). The guardianship also of women, whether widows or unmarried (both of whom were styled *viduæ*), was either conferred by will, or by their own choice, if the will permitted such an arrangement, or by the nearest agnates (158) or the decree of a magistrate. 161. Women, however, of full age might themselves manage their property, and only under peculiar circumstances required the *auctoritas* of a guardian; in cases, for instance, where legal proceedings according to the old strict forms were requisite. For lunatics, persons of weak understanding, and spendthrifts, *curatores* were sometimes appointed on the application of the family. These *curatores* were charged with the management of the ward's property, and were responsible for the due discharge of their office. Minors also received a *curator* nominated by the Prætor.

§ 19. *The ancient Right of Inheritance.*

162. The old strict law of inheritance required that the testator should possess, through the *commercium*, the full right of making a will (*testamenti factio*), from which all were excluded who were in the *potestas* or *manus* of another, as well as all *peregrini*, minors, and women who were under *tutela* or *curatio* (161). No *peregrinus* could be named as an heir. The rights of inheritance possessed by females were circumscribed by the *lex Voconia*, in which among other provisions it was enacted that no person whose property amounted to 100,000 sesterces should make a woman his sole heir, or bequeath her more than the half in the form of a legacy. 163. In the time of Augustus, *cælibes* and *orbi* were excluded from the right of inheritance. At a very early period we find three descriptions of will:

(1) the testament in the *Comitia calata*, which were held twice a year for this purpose; (2) *in procinctu*, verbally in the presence of witnesses, a mode employed in time of war; (3) *per æs et libram*, by a fictitious sale to the heir. This last description was retained the longest. The inheritance was either devised to one person only (*hæres ex asse*), or there were several *cohæredes* (e. g. *hæres ex dodrante*^{*}), sometimes the will designated a *hæres secundus*. 164. A testament was invalid (*testamentum rumpitur*), if the testator had lost the *commercium*, or made a more recent will, if the heirs were unable or unwilling to take possession of the inheritance, or if an agnate (158) was born after the execution of the will. If a man died intestate, his natural heirs were his wife and children (who had been *in manu* and *potestate*), and in default of such, his nearest agnates, or failing those his *gentiles*. The inheritance of a freedman, who left no natural heirs (*sui*), fell to his patron.

§ 20. *The Prætorian Law of Inheritance.*

165. As many of the provisions of the civil law of inheritance were exceedingly unjust, e. g. the exclusion of *cognati* and emancipated children, these severe clauses were in various ways softened and modified by the prætorian law. Hence the prætorian rule of succession, by which the *bonorum possessio* was established, which, however, did not constitute *ownership* without *usucapio* (146). The prætorian testament was in writing, but was not valid against an older disposition according to the civil law. Sometimes the Prætor granted *bonorum possessio contra tabulas*, by which he conferred the right of inheritance on the nearest relations, who had been passed over in the will, but not expressly disinherited; or *secundum tabulas*, by which

* The *As* (= 12 *unciæ*) representing the *whole* property, the *dodrans* (= 9 *unciæ*) represented ($\frac{9}{12}$) = $\frac{3}{4}$ of the whole estate. The similar phrases will be easily determined by consulting the division of the *As* in 155.

it was granted to them; notwithstanding the informality of a will in a strict legal point of view, provided only that it were in writing and contained the usual expressions.

Judicia Privata.

§ 21. *Legis Actiones.*

166. The proceedings of the Roman tribunals were conducted *vivâ voce*, and consisted partly in the decision of legal questions by the magistrate (*in jure*), and partly in the investigation of the fact by *judices* (*in judicio*). The most ancient forms of legal process were the *legis actiones*, i. e. certain introductory formulæ founded on the words of the law, and various symbolical ceremonies. They concerned only *cives*, and required the personal appearance of the parties (*rei* apud Cic.; *actor*, *petitor*; *reus*, *is unde petitur*). The smallest departure from the established form involved the loss of the suit. Among the various forms the most important, and that which was longest retained, was the *legis actio sacramento*, in which a pecuniary deposit was made by each party. The gainer of the cause received his money back, whilst that of the loser escheated to the public exchequer.

167. To this were frequently added, in pleas *in rem*, the *vindicia*, a symbolic form, by which each party asserted his right to the subject of dispute, by laying his hand on it, upon which the Prætor assigned the possession provisionally until the question was decided. In the case of immoveable property, or of objects which could not be brought entire into court, the two parties either adjourned to the spot, accompanied by the Prætor, or brought into court a portion of the disputed possession, for instance a sheep from a flock, or a clod (*gleba*) from a farm.

§ 22. *Formulæ actionum.*

168. At a later period the old *legis actiones* were gradually discontinued, and only the *legis actio sacramento* retained in particular cases; for instance, as the form in which proceedings were commenced before the tribunal of the Centumviri. The symbolic forms were at the same time abolished, and in their place were introduced a series of new forms of pleading (*actiones*), which were admitted into the Edict, and one of which was applicable to each case. These more varied forms were frequently by a legal fiction connected with the older system, that being assumed as fact, which did not in reality exist; an arrangement by which property might be protected in many cases where ownership could not be established by the strict provisions of the civil laws; and persons (*peregrini* for instance) might acquire the right of pleading, which without such an arrangement they could not possess by the strict letter of the law. 169. It was incumbent on the plaintiff to choose that *actio* which was applicable to his case. An error in form in this respect was fatal to the cause (*causâ cadere*), or at least occasioned its postponement; it was therefore necessary to have legal advice on this point. For instance, if the complaint related to a *certum*, the plaintiff was *nonsuited* if he claimed more than his due (*plus petere*). If the cause was not thus rejected, the plaintiff received a *formula*, or written nomination of a judge, together with a setting forth of the fact, and the form of sentence which was to follow the *fact*, if *proved*, which was left to the judge for further investigation. 170. (These parts are according to Gaius (iv. § 39, p. 116; ed. Bonn.), (1) *Demonstratio* = 'ea pars formulæ, quæ præcipue ideo inseritur, ut demonstretur res, de quâ agitur.' (2) *Intentio* = 'ea pars formulæ, quâ actor desiderium suum concludit.' (3) *Adjudicatio* = 'ea pars formulæ, quâ permittitur judici rem alicui ex litigatoribus adjudicare.' (4) *Condemnatio* = 'ea pars formulæ, qua judici condemnandi absolvendive potestas permittitur.' All these

parts were not found in every formula.) Both the pleadings and the judgment in every *actio* which sought to recover from the defendant, stated a sum of money, *pecunia certa* or *incerta*, even although the matter in dispute might be something else, a slave for instance. 171. To these formulæ were frequently added *præscriptiones* or *exceptiones*, i. e. certain conditional clauses inserted by the magistrates on the prayer of either of the parties (*postulare, dare exceptionem*), e. g. *ea res agatur, cujus rei dies fuit*, with reference to a payment due by instalments (the action being for the recovery of instalments then due, this *exceptio* had the effect of leaving the question with respect to future instalments still open); or in form of an exception, e. g. *si in eâ re nihil dolo malo Auli Agerii factum sit neque fiat*. The investigation of the fact on which the exception was founded, belonged to the judge.

§ 23. *Subject continued. Proceedings in jure.*

172. The proceedings commenced with the *in jus vocatio*, a summons which in ancient times had a sort of compulsory force dependent on the performance of certain ceremonial observances defined by the law (*manûs injectio*). Afterwards other forms of summons were introduced, particularly by *vadimonium*, or the deposit of security by the defendant for his appearance in court at an appointed time (*vadari aliquem, vadimonium promittere, sistere, deserere*⁷). 173. When the magistrate and counsel were instructed by these preliminary proceedings concerning the character of the *actio* which the plaintiff desired to adopt, and in cases of necessity the oath against false accusation had been administered; then, if the matter could not be settled summarily, a day was appointed for the appearance of the parties in court, and on that day the proceedings

⁷ *Vadimonium promittere*, belonged to the defendant; *vadari*, was the act of the plaintiff who accepted the security, *vadimonium sistere*, is to appear in court as bound to do by these recognizances; *vadimonium deserere*, not to appear on the appointed day.

commenced either with a confession in court, or the administration of an oath. In the writ a *judex* was named, whom the plaintiff seems to have had the right of proposing, but who might be objected to by the defendant on the ground of partiality in this form, *iniquum ejëro*. Sometimes several judges were appointed (*recuperatores*⁹). Lastly the proceedings *in jure* concluded with a *litis contestatio* by which the way was prepared for the (actual trial, or) proceedings *in judicio*.

§ 24. *Proceedings in judicio.*

174. The proceedings *in judicio*, which consisted of lengthened pleadings, might be concluded in one day or continued for several. The case was proved partly by witnesses, who deposed on oath, and might be cross-examined by the other side, and partly by documentary evidence (*tabulæ, literæ, codices accepti et expensi*.⁹ By the old *legis actiones* the personal attendance of both parties was requisite (*nemo alieno nomine lege agere potest*); but the process by *formulæ* allowed them to be represented by *cognitores*, i. e. certain authorized agents chosen in proper form in presence of the opposite party, and by *procuratores*, whose nomination was more simple. At the close of the proceedings, the judge might either postpone his decision, or decline to pronounce any (*non liquet*), or he might deliver his sentence, against which, until the times of the empire, there was no appeal, the victorious party having an *exceptio rei judicatæ*. 175. Still there were means of reversing an unjust sentence; for instance, the interposition of some magistrate of equal or superior rank, or of the Tribunes; and sometimes the form of process might be vicious: for example, when the matter had been tried before an incompetent

⁹ Hence the formula began with *Judex esto* —; or *Recuperatores sunt* —.

⁹ *Tabulæ justæ* and *codices accepti et expensi* were ledgers, into which the items of an account were transferred from the *adversaria* or day-book, in which they were first posted.

magistrate. The operation of the sentence was sometimes enforced by a *sponsio pœnalis*. Certain descriptions of condemnation, e. g. *judicium tutelæ* and *mandati*, were attended with infamy (*judicium turpe*). Non-appearance occasioned the loss of a cause. There were several modes of discouraging unnecessary or pettifogging actions; such as the *condemnatio in duplum*, or the *judicium calumniæ*, by which a pecuniary penalty was incurred. If the sentence were not obeyed, a decree of the Prætor's followed, e. g. *missio in bona venditionis causâ*, by which the judgment of the court was carried into full effect

§ 25. *The Interdicta of the Prætor.*

176. One peculiar form of action, or of commencing an action, was the *interdicta* of the Prætor, that is, a preliminary writ, in which, on the petition of the one party, he enjoined or forbade something to the other; certain facts being presupposed, which might become the subject of a judicial investigation, and a process *ex interdicto*.

Judicia Publica.

§ 26. *Criminal Proceedings.*

177. The *judicia publica* had reference especially to such acts as were considered to be productive of danger to the freedom and security of the state, or injurious to the interests of the citizens in general. They were originally conducted by inquisitors (subject to the supreme authority of the Kings) who were nominated to that office (*quæstores parricidii*), and of judges (*decemviri*), with an appeal to the people. After the expulsion of the Kings, these courts were presided over by the Consuls or Prætors; or by *Quæstores* especially appointed. Capital offenders were tried *judicio populi* on the requisition of the *Quæstores* (Liv. 2. 41.)

After the introduction of the Tribuneship, persons who had invaded the rights of the people were sometimes summoned by their Tribunes before the popular courts of the *Comitia tributa*, and there condemned, as in the cases of Coriolanus and Cæso Quinctius. 178. This practice was afterwards abandoned in compliance with the laws of the Twelve Tables, which provided that capital offences should be tried only in the *Comitia centuriata*; and the *Comitia tributa* merely retained the right of inflicting a fine, as in the case of Camillus. In consequence of the great number of offences, the so-called *quæstiones perpetuæ* were introduced (about the year B. C. 144) for the trial of certain felonies. These were conducted by the four Prætors (*quæsitores, quæstioni præesse*), but afterwards also by *judices quæstionis* especially nominated to that duty, who managed the proceedings *in jure* (172, 173), the investigation of the fact being left to the same *judices* who decided private causes. The immediate judicial authority of the people now declined by degrees; whilst the *quæstiones perpetuæ* steadily increased in importance, and continued for a time even under the Emperors. 179. The Senate had no judicial authority, strictly speaking, over the persons of citizens, but in extraordinary cases such a right was frequently asserted, e. g. against the Gracchi and Catiline's accomplices. Under the Emperors it was invested with judicial authority in cases of high treason. The *præfectus urbis* had also a criminal jurisdiction, subject to an appeal to the Emperor as supreme judge. During the Republic, the criminal jurisdiction beyond the walls of the city (except in capital prosecutions) was exercised by the municipal authorities, and in the provinces by the governor.

§ 27. Form of Criminal Proceedings.

180. None but Magistrates could appear before the popular tribunals as *accusatores*. Sentence was passed according to the usual comitial form. On the other

hand, any citizen might act as prosecutor in the Prætor's court ; and although it was esteemed dishonorable to make a trade of these prosecutions, yet to come forward on any single occasion as the denouncer of one who had violated the laws of his country, was a respectable office ; and in some cases men were even encouraged to undertake it by the promise of rewards from the state. If more than one prosecutor offered themselves, the principal prosecutor was determined by means of a previous investigation (*divinatio*), and the others were then styled *subscriptores*. 181. The prosecutor commenced his proceedings by a *postulatio* before the Prætor, at which the name of the accused was given in (*delatio nominis*) according to a settled form. After the oath had been administered, by which the prosecutor swore that he was not, to the best of his knowledge, about to make a false accusation (*calumnia*), the *receptio nominis* by the magistrate took place. A day was then fixed for trying the question *in judicio*. The judges were selected from the *decuriæ judicum*, and required to take an oath. Their number varied (in most cases however exceeding 50), as well as the forms observed in their election, which generally was by lot, the contending parties having equally the right of challenge. Then followed the trial itself, which latterly was divided in most cases into two portions (*prima et secunda actio*). 182. In criminal proceedings persons might be compelled to bear witness, but (by the *lex Julia*) not against their nearest relations. The examination (*questiones*) of slaves was accompanied even by the application of the rack (*equuleus*) ; but in capital causes it was at all events irregular to torture the slaves of the accused in order to obtain evidence against their master. The accused and his relations appeared in *vestes sordidæ*. Several defenders were often engaged ; after the civil wars, the number seems to have amounted to twelve, until it was kept within bounds by the *lex Julia*. Lastly came the judgment (*sententia*, either *condemnatio*, *absolutio*, or *ampliatio*, postponement of the decision). The votes

of acquittal or condemnation, were inscribed (by the *leges tabellarie*) on tablets which were thrown into a *cista*. The security by *vades* served to insure the carrying of the sentence into effect. Means of protection against unjust sentences were found in the appeal to the people, and the *intercessio* of magistrates equal or superior to the accusing magistrate, or of the Tribunes.

§ 28. Crimes

183. The offences which generally formed the subject of criminal proceedings were the *crimen majestatis* (*minuere majestatem*), or violation of the dignity of the Roman people, concerning which the laws best known were the *lex Appuleia* (B. C. 102) *Cornelia, Julia*; *perduellionis* (high treason), and *repetundarum* (extortion in the provinces). The last of these was in ancient times the subject of a private action, which was decided by the *recuperatores*; but afterwards it was made a criminal offence, for the repressing of which many legal enactments were passed. After the governor had laid down his office, an indictment was preferred against him at Rome, and those who prosecuted such a magistrate to conviction, were rewarded with the freedom of the city. Other crimes of this description were *peculatus*, embezzlement, or illegal disposal of public money: *ambitus*, canvassing for office by means of bribery and other unlawful expedients (an offence which was very common, and the laws against it very numerous): *vis*; concerning the *vis publica* the most remarkable enactment was the *lex Plautia* (B. C. 78); *parricidium*, murder, especially of relations (against this crime was the *lex Cornelia de sicariis, veneficis, et parricidis*): *falsum*; under this head may be noticed the *lex Cornelia*, directed against the forgery of wills, and coining: *sacrilegium*, or robbery of temples; and *plagium*, kidnapping and sale of human beings.

§ 29. *Punishments.*

184. The punishments in the days of the Republic were fines and death; for which, at a later period, banishment was substituted. Corporal punishment was abolished. Death was generally inflicted by decapitation (*secūri percūti*). The more ancient modes were, casting the criminal down from the Tarpeian rock, and hanging (*infelici arbori suspendi*). For *parricidium* the punishment was *insui in culeum et in flumen dejici*. Catiline's accomplices were strangled in prison. The punishment of exile was rendered effective by the *interdictio aquæ et ignis*. At first the banished persons retired into the Italian confederate cities; but when at a later period these were admitted to municipal privileges, the criminals were compelled to seek an asylum elsewhere; for example, in Gaul or Greece. 185. Banishment and heavy fine were the usual punishments for the more grievous offences against the state. In the time of the empire the punishments were more severe, and were often inflicted arbitrarily. Criminals were then frequently condemned to mortal combat with wild beasts, or as gladiators. In the room of banishment (*interdictio aquæ et ignis*) were introduced deportation (*deportatio*) into some remote or desert region (accompanied with loss of property and citizenship), or the (milder) *relegatio* (which required the person to go into banishment, but left him his rights of *property*, unless a *part* was specially excepted, and citizenship. The time of *deportatio* was *always indefinite*; that of *relegatio* not always. Dict. Antiqq.). Criminals were also condemned to hard labour in the public mines and salt works, with enslavement and corporal punishment.

§ 30. *Intercourse with foreign nations—Ambassadors.*

186. The relations of Rome with other nations were generally defined by treaties. Such an understanding we find to have existed in the earliest days of the Republic between Rome and Carthage, with regard

to commercial intercourse. By similar treaties she also protected her citizens in their dealings with foreigners. The negotiation of these treaties was conducted by Ambassadors, whose persons were sacred, provided they abstained from all personal participation in war, a regulation which was violated by the Roman Ambassadors themselves, in the war against the Gauls (Liv. 5. 36.). Whoever misconducted himself towards a foreign Ambassador, was delivered up to the enemy by the Fetiales. Insults offered to the Ambassadors of Rome, were retaliated with great severity.

§ 31. *Declaration of War, and War.*

187. When any injury was received from a foreign nation, Fetiales or Ambassadors were sent *ad res repetendas*; and if this were ineffectual, war was declared according to certain settled forms. By this act the foreign people were declared enemies (*hostes*, originally *perduelles*), and the Romans empowered to take possession of their property, and sell the booty for the purpose of depositing the proceeds in the Treasury, or distributing them among the soldiers: the gods were at the same time invited to abandon the country; the land might become *ager publicus*; the inhabitants be made slaves, and sold *sub coronâ*, for the benefit of the Exchequer: in a word, the nation, when subdued, might be utterly annihilated, and deprived of its political existence. 188. But these stern rights were not always enforced. The conquered people were often permitted to retain their personal freedom, and a part of their property, or even their independence. Insurrection and revolt were severely punished. The conclusion of peace was also celebrated by the Fetiales with regular ceremonies. Instead of peace, an armistice (*induciæ*) was frequently concluded. Sometimes the war ended with a *sponsio*, concluded by the commanders, but not always ratified by the state, which in such a case required the promoter to be delivered up to the enemy by the Fetiales.

B. Finance.

§ 1. *Public Expenditure.*

189. The Roman republic was exempt from many expenses which fall heavily on most modern states. There was neither a costly royal household, nor a crowd of public officers with large salaries; and many institutions which, in our day, are partly at least supported at the public charge, education, for example, and the discipline of youth, were left, for the most part, to private agency. The heaviest remaining charges were those connected with the public worship of the gods, such as the erection and maintenance of temples, sacrifices, feasts, games,¹ and the support of the Vestal virgins; the conservation of public edifices and gardens, expenses attendant on the reception and sending out of ambassadors, with the outfit of the Consuls and provincial governors, salaries of inferior officers, such as the *Scribæ*; maintenance of the public slaves; the purchase of *matériel* for the army in general, and of horses for the cavalry, provisions and pay, which last seems to have been decreed to the army by the Senate during a war with the Volsci, B. C. 406. 190. Lastly, the Exchequer was charged with the purchase of grain, which, in seasons of scarcity, was sold to the people at a reduced price; and latterly, with the distribution of corn and support of the poor; a regulation which, in conjunction with the large amount of private donations, attracted a crowd of broken down or idle persons to Rome,² and thus imposed a heavy burden on the state.

§ 2. *Resources of the State in the most ancient times.*

191. The proceeds of the public estates, of which the Campus Martius formed a portion, served for the

¹ From the time of the first Punic war, the expenses of these games were defrayed in part by the *Ædiles* themselves.

² A *lex frumentaria* of C. Gracchus established a regular corn-tax. Clodius introduced a gratuitous distribution of grain; an arrangement which, in spite of various attempts to regulate the proportions, was always liable to great abuse. It continued, however, to exist in the days of the Empire.

maintenance of the Kings, and the expenses of religious worship. The sums arising from fines and confiscations seem also to have been applied to the latter of these objects. As early as the time of the Kings, we find mention of duties (*portoria*) and imposts (*tributa*). The latter seem to have consisted originally of a sort of poll-tax, concerning which very little is known. A property-tax was imposed in the reign of Servius Tullius (Liv. 1. 42), corresponding to the pecuniary qualification registered in the Censor's books.³ After the expulsion of the Kings the poorer citizens seem, for a time, to have been exempted from these payments.

§ 3. *Taxes paid by Roman Citizens.*

192. The standing direct contribution from Roman citizens was a property-tax (*tributum*) levied as circumstances rendered it necessary; and sometimes arbitrarily increased by the Censors, in individual cases, by way of punishment. It was collected by the Quæstors. Another tax was the *vicesima manumissionum*, or a payment of five per cent on the value of emancipated slaves, which was exacted in conformity to the provisions of a law proposed by the Senate, and adopted by the army, in defiance of all regular forms, in the year B. C. 357.

§ 4. *Extraordinary Revenue derived from Wars and Conquests.*

193. The victories of Rome, at first in Italy, and subsequently abroad, gradually brought into the Exchequer considerable revenues, some of which were extraordinary, others regular. Under the first head may be reckoned the spoils of conquered countries, which were sold by the Prætor on the public account, so far as such an arrangement could be carried out consistently with dispositions already made by the

³ In ancient times, some of the more wealthy classes were charged with the payment of military contributions, especially for the maintenance of the cavalry.

general for rewarding his soldiers, or fulfilling his vows to the gods. We may also mention here the purchase-money of the inhabitants, when they were sold as slaves (e. g. in the case of the Aurunci, in B. C. 502), as well as the contributions and extraordinary supplies on the part of the vanquished, of provisions, clothing, arms, horses, ships, and naval stores.

§ 5. *Standing Revenue from Conquered Countries.*

194. The standing contributions from conquered countries were partly *direct taxes* (*tributa, stipendia*), varying in different provinces, the form being either that of a poll or property-tax, or a land-tax levied from the produce of the soil (*decumæ*); or *indirect*, in the shape of duty (*portorium*). The last was also paid in ancient times by Italy, which, however, was exempt from every description of land-tax. The rents of the public lands (*ager publicus*) are also mentioned as an important item. Whenever the Romans conquered a country, they took possession of a portion, generally a third of the land, which became public property, and as such was either sold, or bestowed in the form of a grant, or leased out at a certain rent to farmers. 195. Of this *ager publicus* considerable tracts might be found in different parts of Italy, and partially also in the provinces. It consisted partly of pasture land (*saltus*) which was leased out to *pecuarii*, whose rents (*scripturæ*) were farmed by the *publicani*. In Italy we find, in ancient times, the Patricians exclusively in occupation (*possessio*) of the cultivated land, for which they paid, in the form of rent, a third of the produce of the field crops, and a fifth of their fruit.⁴ Other

⁴ This occupation (*possessio*) did not confer complete proprietorship, the state still retaining the right of disposal. It might, however, be conveyed or bequeathed subject to this condition. By degrees, the *ager publicus* fell into the hands of a few rich individuals, who were perpetually increasing their possessions by the purchase of smaller estates. These lands were cultivated by slaves; an arrangement which greatly reduced the number of free agriculturists. Against these abuses, and the unequal distribution of property, agrarian laws were enacted; e. g. the *lex Licinia* in B. C. 376, which was confirmed by the laws of the Gracchi.

productive sources of revenue were the lakes, which were farmed out to fishermen, the mines (*metalla*), and salt works (*salinæ*). The trade in salt became in Italy a state monopoly at a very early period.

§ 6. *Farming of the Revenue.* Publicani.

196. The income of the state was not collected immediately by government, with the exception of the property-tax, which was levied by the Quæstors, but was farmed out by the Censors to the highest bidder for a lease of five years, viz., from one *censura* to another. The bidding (*vectigalia locare, redimere*) took place publicly at Rome in the *forum, sub hastâ*, the conditions (*tabulæ, leges censoriæ*) having been previously read to the assembled people. As these contracts were not unfrequently too heavy for individuals to undertake, companies (*societates*) of *publicani* were formed, which were represented by a *Manceps*, who concluded the bargain, and found the requisite security.

197. With these *publicani* were connected a great number of inferior agents and slaves (*esse in operis societatis: operas publicanis dare: familia publicanorum*). These contractors collected the revenues of each province under the protection of the Governor, and generally acquired enormous fortunes. The most important among them were the Knights, who, as being the richest private individuals, were able to undertake these contracts, and acquired great influence through the means which their property afforded of rendering others dependent on them. All officers connected with the Roman Treasury, as well as Governors of provinces and Senators, were disqualified from undertaking any public contracts.

§ 7. *Abolition of the Taxes and Contributions of Roman Citizens.*

198. The large sums which flowed into the Exchequer in consequence of the important conquests

achieved by Rome, enabled the government gradually to dispense with the property-tax. After the conquest of Macedonia (B. C. 168), it was suspended until the triumvirate of Antony, Octavian, and Lepidus, in the year B. C. 43. By the *lex Thoria* (B. C. 107) the *ager publicus* was relieved from the payment of taxes. In the year B. C. 60, a law was passed, *de abolendis Italiæ vectigalibus*; and as the agrarian laws gradually converted the government estates into private property, scarcely any revenue continued to be raised in Italy, the existence of the Roman state being in a great measure dependent on the tribute exacted from her conquered enemies.

§ 8. *Administration of the Finances.*

199. Of the financial administration in the time of the Kings, scarcely any thing is known. During the Republic all affairs of finance were transacted by the Senate, which settled the mode of levying taxes, voted sums for the public service, ordered the supply of the army commissariat, &c. The officers of finance were the *Censores*, who regulated the taxation, and superintended the farming out of the public revenues; the *Quæstores*, who managed the receipts and disbursements, kept an account of the property-tax, and collected it; and the *Triumviri Monetales*, who superintended the coinage. The public Treasury or Exchequer was termed *ærarium*, and stood in the temple of Saturn in the *forum*.

§ 9. *The Finances under the Emperors.*

200. Augustus allowed the *ærarium* to remain as a public Treasury, nominally under the control of the Senate; but diminished its importance by the establishment of a war-*ærarium*, and a *fiscus*, or imperial privy-purse. The Emperors increased the pay of the army, and granted bounties (*donativa*) to the soldiers; commanded distributions of grain and other provisions

among the people, and treated them with public shows : but they also gradually introduced a number of new taxes, direct and indirect. 201. From the time of Diocletian, the financial administration was entirely changed ; and in subsequent reigns the public expenditure was considerably increased by the formation of an expensive imperial household, and the introduction of a number of stipendiary officers, by large standing armies, the building of a new capital, and the tributes extorted from the Roman government by the gradual encroachments of barbarous nations.

C. Administration of affairs beyond the walls of the city.

§ 2. *Administration in Italy.*

202. Rome enlarged her limits by conquest. The inhabitants of vanquished states were, as we have seen, in ancient times, partly transferred to the city, and partly allowed to remain in their own country. In the latter case, they were generally admitted to the privileges of Roman citizenship, but *sine suffragio*, without positive rights, or any share in the administration of the state. For the management of their political affairs, a Prefect was sent out every year from Rome, but their local business was conducted by themselves. 203. Long before the Social war, most of these cities had acquired the full rights of citizenship, and thus become actual municipalities. The rest of the Italian tribes (*Latini* and *Itali, socii nomenque Latinum*) became gradually subject to the Roman empire on different terms. They retained their own privileges and form of government, but were required to furnish such a contingent of troops as might be settled by the Senate, with which they also communicated through their *Legati* respecting their public affairs, the Senate being charged with the direction of all matters connected with the provincial administration. Many of them gradually adopted

the Roman civil code, and sank more and more into a condition of dependence on Rome.

§ 2. *The subject continued.—Administration subsequent to the lex Julia.*

204. After the *bellum sociale*, the several Italian states were amalgamated into one empire, the allied states and Latin colonies gradually becoming municipalities, an arrangement which conferred on their inhabitants all the rights of Roman citizens. In these municipalities, as in the more ancient ones, the local business, and questions affecting the rights of individuals, were settled by an administration modelled on that of Rome; that is to say, by an Assembly of the people, and a council of Decurions and various magistrates, such as the *Decemviri*, or *Quatuorviri*;^{*} whilst general affairs of state, and important criminal proceedings were conducted at Rome. 205. We read of Prefectures even after the Julian law, but they differed from the municipia in no essential particular, as regarded political rights. By the *lex Julia, Gallia Cisalpina* was not comprehended in Italy; but after a little time, the right of citizenship was also extended to *Gallia Cispadana*. The Transpadani received first the privilege of Latinity, and afterwards, under Cæsar, of Citizenship. Under the Emperors, Italy gradually assumed the form of a Province, administered by Governors.

§ 3. *Administration of the Provinces.*

206. As the conquests of Rome extended themselves by degrees over the whole of Italy, new forms of administration were necessarily introduced. The inhabitants of foreign countries were either admitted as allies under conditions more or less favorable, or were reduced to a state of complete vassalage. Whenever

* Offices of this description were sometimes held by Roman Senators and their sons; e. g. Milo was *Dictator* in Lanuvium, and Cicero's son, *Ædilis* in Arpinum.

the Romans desired to retain a conquered country as the property of the state, they converted it at once into a Province (*in provinciæ formam redigere*). The most ancient of these were Sicily and Sardinia. The first settlement of the Province was effected by the general by whom it had been conquered, in conjunction with a committee of Senators (generally ten), and with the approbation of the Senate. 207. At first, only Prætors actually in office were chosen as Governors; but laterly they were retained in the provinces with the title of Proprætor (*pro prætore*), after they had completed their year at Rome. This was also the case at a later period with regard to the Consuls (*pro consule*). The provinces were *Prætoriæ* and *Consulares*, both of which were assigned, either by lot or by agreement. By a law of the younger Gracchus, it was provided that the consular provinces should be settled by the Senate, previously to the Comitia at which the Consuls were chosen; and by an enactment in Cicero's time, Consuls and Prætors were prohibited from going into the provinces as Governors until they had been five years out of office. In extraordinary cases, the people themselves assigned a province to a Governor (as Gaul to Cæsar).

§ 4. *The Governor and his subordinate officers.*

208. Before his departure from Rome, the provincial Governor was invested with the *imperium* (by a *lex curiata*), and furnished with money sufficient for his travelling expenses and other wants. He was the supreme executive military and judicial authority in the province, and was assisted in the administration of his office by Legates, whose number he himself settled, according to the size of his province or the circumstances of any war in which he might be engaged; and by a Quæstor, chosen by the people, who was charged with the financial department. By ancient custom, these officials lived with the Governor on terms of familiarity and affection, like sons with their

father. Besides the Prætorian cohort, properly so called, which constituted the body-guard of the Governor, he had a second *cohors Prætoria*, consisting partly of his personal friends, and partly of *Scribæ*, *Præcōnes*, *Haruspices*, *Interprètes*, and other officers.

§ 5. *The subject continued.*

209. By the Cornelian law, the Governor was required to quit the province (*decedere provinciâ*) within thirty days after the expiration of his term of office, and to render an account of his administration according to his own and the Quæstor's books. Deputations were frequently sent to Rome from the provinces, for the purpose of pronouncing an eulogium on their Governor, a practice which sometimes degenerated into a mere compulsory observance. The inhabitants of the provinces enjoyed the right of appealing to the Senate against any act of oppression; and on these occasions they were supported by the most distinguished Romans, who acted as their patrons and hosts. 210. Laws were repeatedly passed prohibiting extortion in the provinces (*repetundarum*). A *lex Servilia* promised the freedom of the Roman state to any provincial who should prosecute a Governor to conviction. But, notwithstanding all this, it was exceedingly difficult for a deputation from the provinces to establish any accusation against the Roman aristocracy; and in order to attain their object they were often obliged to have recourse to bribery.

§ 6. *Constitution and Condition of the Provinces.*

211. Although the cities retained a sort of municipal constitution, it was regulated in a great measure by Roman laws, and subject to the interference and control of the Roman Governor. Their religious institutions remained unchanged. The defence of the country was provided for by means of the standing army of the province. A part of the land, especially

such estates as had been royal demesnes or state property, became *ager publicus*, and was either farmed out by the Censors, or granted on lease to its original possessors. The tributes varied considerably in these provinces. The public revenues were farmed out to *Publicani*. As the tone of morality became lower at Rome, the provinces were often grievously oppressed by these Publicans, Governors, and *Negotiatores*. 212. The Governors always expected free quarters for themselves, their friends, and followers in their progresses through the province, and were often bribed to connive at the shameless extortions practised by the crowds of publicans and Roman usurers established there. The cities were drained by extraordinary taxes, forced contingents of grain for the Governor's use, or an equivalent in money arbitrarily exacted, and by the quartering of troops; and those who had friends in the *Ædileship*, did not scruple to require a supply of wild beasts for the public games at Rome, or to rob the provinces of their works of art, and even to extort contributions of money under the name of presents.

§ 7. Administration of the Laws.

213. At certain seasons the Governor made progresses through his province, and appointed assemblies (*conventus*) to be held at a particular time and place for the administration of justice. On these occasions, the Governor himself presided as judge, assisted by jurymen, who were either Romans or provincials, according to the nature of the cause which they were to decide. We find the term *conventus* also applied to the guilds of Roman citizens, who resided in the Provinces for the sake of commerce, as *negotiatores*, or *mercatores*, or as farmers of the public revenue (*publicani*). These guilds were styled *conventus civium Romanorum*. 214. In addition to the principles of administration laid down at the establishment of the province, the Governor, on assuming office, generally issued an *edictum provinciale* the provisions of which

affected, to a considerable extent, the privileges of individuals, and were mostly based on the Edict issued by the Prætor at Rome. The Governor had the power of life and death, within the limits of his province; but capital offences committed by Roman citizens, could only be judged at Rome. The province, however, had itself jurisdiction in disputes between members of one and the same community.

§ 8. *The more favoured Provincial Cities.*

215. Among the provincial cities were several which enjoyed especial privileges. Some of them were, from the beginning, independent confederate towns (*civitates liberæ et fæderatæ*); whilst others, at a later period, were declared free, under the name of friends and allies: some also enjoyed an immunity from tribute and the quartering of troops.

§ 9. *The Provinces under the Emperors.*

216. Augustus divided the Provinces into Imperial Provinces, and Senatorial or Popular Provinces, i. e. those which required no military force. This division continued until the third century. The Senatorial Provinces were administered by Governors (Proconsuls and Proprætors); to the Imperial, Legates were sent out, chosen for an indefinite period, and latterly distinguished in most cases by the title of *Præstides*. After the time of Hadrian, a general code of municipal laws was formed out of the rescripts of the Emperors. Still we find, even in the days of the Empire, a considerable diversity in the privileges enjoyed by different cities. 217. There were free cities, cities with the *jus Italicum*, colonies, and municipalities. In the time of Caracalla all the inhabitants of the Roman Empire received the privilege of citizenship, and *peregrinitas* was in consequence entirely abolished. From the days of Diocletian and Constantine, the Empire was divided into four prefectures governed by *Præfecti prætorii*.

viz. *Præfectura Orientis, Illyrici, Italiae, and Galliae*; at the same time the military authority was separated from the civil.

D. Military affairs.

§ 1. *Military affairs under the Kings.*

218. From the earliest period of Roman history we find the military establishment simple indeed, but regularly organized with reference to the ancient divisions of the people. In the remotest times the army consisted of 3000 infantry soldiers, probably 1000 from each tribe. We find also three *centuriæ equitum*, one for each tribe, and distinguished by the same names as the tribes. These centuries of cavalry soldiers were probably the same as the *celeres* mentioned by Livy as the royal body-guard. The troop consisted of three hundred men, or, according to some authorities, of a greater number. 219. Tarquinius Priscus seems to have doubled it. The subsequent division of the people by Servius Tullius had also a military character. The centuries of *equites* were eighteen, composed of the most substantial citizens. The infantry consisted of five classes, each of which had its distinct equipment, and was divided into *seniores*, for the defence of the city, and *juniore*s for actual military service. Distinct centuries were also formed by the *fabri*, *cornicines*, and *tubicines*, attached to the army.

§ 2. *Military affairs at a later period—Conscription—Term of service.*

220. For a long time the levy of soldiers was conducted in accordance with the division into classes, and afterwards by *tribus*, the men being chosen from the *juniore*s, an expression which latterly signified persons between the ages of seventeen and forty-seven. The term of service was twenty campaigns of one year for the infantry, and ten campaigns for the cav-

alry. Until the war with Hannibal the legions were formed afresh every year; but after that time a standing army was gradually established. Both the legionary and cavalry service were esteemed honorable, and ten years of either were a qualification for the magistracy. 221. The poorest citizens (*proletarii* and *capite censi*), as well as the freedmen, performed no military duty, except on extraordinary occasions, when they generally served by sea. Marius, in the Jugurthine war, was the first who chose soldiers without reference to property; but this practice afterwards became universal; and after the *Bellum Sociale* even *libertini* were admitted into the legions. Towards the end of the Republic, citizens, and at a later period the allies also, were exempted from compulsory military service; and under the Emperors the army consisted in a great measure of foreigners.

§ 3. *The subject continued.*

222. In the early days of the Republic it was customary to raise at most four legions, two for each Consul. Afterwards the number went on increasing; and was further augmented by a crowd of allies, whose strength in infantry was often equal, and in cavalry superior to that of the Roman army. At the annual levies or conscriptions, all who had reached the military age were compelled, on the requisition of the Consul, to appear on the *Campus Martius*, or at the *Capitolium*, for the purpose of enrolling their names (*scribere exercitum, nomina dare*). The selection was made by the military tribunes (*delectum habere, legere milites*). 223. Those who tried to avoid the service (*militiam detrectare*) were liable to fine, and sometimes to still more severe penalties, such as the loss of freedom. The holders of high official appointments, and persons labouring under bodily infirmity, were exempted from military service (*vacatio militiæ*).

* The Senators, in ordinary cases, were exempt from military service, except as Commanders in-chief, Legati, Tribunes, or as volunteers.

Whenever circumstances required a sudden conscription (*subitarii milites, exercitus tumultuarius*), the right of exemption was restricted. After the enrolment, an oath was administered (*sacramentum, sacramento adigere*), without which there existed no obligation, strictly speaking, to serve in war. After the soldier had served his appointed time (*stipendia legitima merere* or *facere*), he received a discharge (*missio*); but these discharged men (*emeriti*) were sometimes again called out (*evocati*).

§4. Pay of the Soldiers.

224. The Roman legionaries first received pay during a war which broke out in the year B. C. 406. The pay of a legionary soldier was two oboli or $\frac{1}{2}$ denarius per day, that is to say $3\frac{1}{2}$ *as*, according to the ancient reckoning, which was always observed in the payment of the soldiery. A centurion received double pay, and a cavalry soldier treble. A portion, however, was kept back for arms, clothing, and provisions, until the time of C. Gracchus, when a law was passed securing to the soldier his accoutrements without any payment on his part. In the civil wars it was usual to grant them greater privileges; and under the Emperors they received higher pay, and extraordinary largesses to a considerable amount. 225. Anciently the richest citizens were appointed to the cavalry service. By an ordinance of Servius Tullius they were allowed 20,000 *asses* for the purchase of a horse, and 2000 annually for its keep, in the form of an order on the *viduæ*, i. e. on widows of property, and rich unmarried women. Even at a later period they received the *æs equestre* for the purchase, and the *æs hordearium* for the keep of an *equus publicus*. By degrees regular pay was substituted for the *æs hordearium*. The *equites* who had no *equus publicus* (53, 54), rode their own horses. This occurred for the first time at the siege of Veii in the year B. C. 496. Afterwards, when the equestrian

⁷ Niebuhr doubts the correctness of this statement, ii. p. 441.

order was formed, the cavalry soldiers were levied in the same manner as those of the infantry.

§ 5. *Divisions and Arms of the Troops.*

226. The infantry were divided into legions, each *legio* into ten *cohortes*, a *cohort* into three *manipuli*, and a *manipulus* into two *centuriæ*. To each legion belonged a cavalry corps, divided into ten *turmæ*, each *turma* containing three *décuriæ*. The strength of each legion varied from 4000 to 6000 infantry, and 300 to 400 cavalry, or even more. The soldiers were divided into the heavy-armed (*milites gravis armaturæ*), who formed the chief strength of the army. According to Livy, they were originally formed on the model of the Grecian phalanx, but afterwards broken up into three battalions; the *hastati*, or front line, originally armed with *hastæ*, afterwards with *pila*; the *principes*, and the *triarii*, who were anciently termed *pilani*; the *hastati* and *principes* being then denominated *antepilani*. 227. The chief defensive arms (*arma*) were the *scutum*, an oblong shield; *galea*, the helmet; *lorica*, the coat of mail; *thorax*, the breast-plate; *ocreæ*, the greaves. Their offensive weapons (*tela*) were the *gladius*, or sword; *pila*, javelins; *hastæ*, long spears. The light-armed soldiers (*milites levis armaturæ, velites*) fought in scattered bodies, and carried a *parma* or light round shield. To them belonged the *funditores* or slingers, *sagittarii*, archers, and other descriptions of light troops. The arms of the cavalry differed in no essential particular from those of the infantry. They also had a lighter and heavier armament. The usual military costume was a short cloak, *sagum* (*paludamentum* was the cloak of the commander-in-chief, of purple cloth with decorations), over a *tunica*

§ 6. *Officers.*

228. The command (*imperium*) of the army was intrusted to the supreme magistrates; to the Kings,

afterwards to the Consuls, and sometimes to the Prætors and Dictators. Next to these were several *Legati*, whose number was fixed by the Senate. Each legion had three, and subsequently six *Tribuni militum*, two of whom took the command, and were relieved every two months. After the year B. C. 363, they were chosen partly by the generals, and partly by the people in the *Comitia tributa*. Under them were centurions (*centuriones, ordinum ductores*) chosen from the best soldiers. 229. Each maniple had two centurions, a *prior* and a *posterior*. The centurion of the first century in the first maniple of *triarii* was called *centurio primi pili*, or *primus pilus*, and took precedence of the others. The centurion of lowest rank was the *decimus hastatus*; from this post the most deserving men were gradually promoted to the higher ranks. Under the centurions were the *succenturiones, decani*, and *signiferi*. In the provinces the Governor acted as Commander-in-chief. In extraordinary emergencies, the army was commanded by a *Dictator* and his *Magister Equitum*.

§ 7. The Allies.

230. The Senate annually settled the contingent to be furnished by each of the allies, according to the size of the nation, or the conditions of their alliance, together with the place of rendezvous for all the troops. For these forces Prefects, corresponding to the Military Tribunes of the legions, were chosen by the Consul. The allied troops partly formed a *corps de réserve* (*extraordinarii*), and were partly stationed in the wings of the army, the infantry being divided into cohorts, and the cavalry into *turmæ*. 231. Their pay and clothing were provided by their own states, but the expense of their keep was defrayed by Rome. In the distribution of rewards, or the division of spoil these allies, especially the Latins, often received as large a share as the Roman soldiers. After the passing of the Julian law (B. C. 90) the Italian allies, who had

been admitted to the freedom of the city, served in the legions, but their cohorts always fought side by side. The auxiliary troops of foreign nations were termed *auxilia*.

§ 8. *The Army on the march.*

232. The order of march varied, but the most common seems to have been the *agmen quadratum*, a square with the baggage in the middle. In addition to his arms and equipments (including stakes for stockades), each soldier carried, generally speaking, provisions for fourteen days (*milites impediti; sarcinæ*). For the transport of the tents, forage, and the rest of the heavy baggage (*commeatus impedimenta*) they employed beasts of burden (*jumenta*). The standards* (*signa* in the heavy-armed legions, *vexilla* in the cavalry and light infantry troops) were brought out from the *ærarium* when the army commenced its march.

233. Each maniple had its standard: that of the legion was a *hasta*, with the figure of an animal on its point; from the time of Marius this figure was generally a silver eagle with outstretched wings. Great regularity of step was generally observed on the march (*gradu militari incedere, signa sequi*). Scouts (*speculatores*) were sent out. The camp-followers, in the latter days of the Republic, when luxury had begun to find its way even into the army, were often very numerous, consisting of *scribæ, fabri, agasōnes, calōnes, lixæ, &c.*

§ 9. *Encampments.*

234. On a march the Romans were accustomed every night to construct and fortify an encampment (*castra facere, ponere*), the site of which had been previously surveyed and marked out (*castra metari*).

* The standards gave the signals for the movements of the army. Hence *signa conferre* (to engage), *inferre* (to advance against the enemy), *referre* (to retreat) *movēre* (to march) *convellere* (to break up the camp; to decamp), *convertere* (to face about), &c.

The camps intended for larger occupation (*castra stativa, æstiva, hiberna*), were of course fortified more carefully: many of the cities, especially on the Rhine and Danube, owed their origin to the great stationary camps which were scattered through the provinces. The encampment was generally a parallelogram, surrounded with a trench (*fossa*), and mound (*agger*), with stockades (*valli*, collectively *vallum* (the rampart). It had four gates, *prætoria*, opposite the enemy; *decumana*, in the rear, and the two side-gates *principalis dextra* and *sinistra*, at each extremity of the principal passage through the camp. This broad lane divided it into two parts, the *pars superior*, being nearest the *porta prætoria*, and containing the quarters of the Commander-in-chief (*prætorium*), as well as the tents of the superior officers and picked soldiers. The rest of the troops were quartered in the other division* (*pars inferior*). 235. In winter the tents (*tentoria*) were covered with skins (*sub pellibus durare*, Liv. 5. 3). Each tent was occupied, generally speaking, by ten soldiers with their *decanus* or subaltern officer (*contubernium, contubernales*). The rows of tents were separated by *viæ*, and between them and the rampart there was an open space; sentinels were posted on the rampart and at the gates (*stationes, custodiæ, vigiliæ, excubiæ*), and were inspected by the officers who made the rounds. The signals were given by means of wind instruments, *tuba, cornu, bucina*, in the infantry, and *lituus* in the cavalry. In the camp all sorts of military exercises were practised. When the signal was given for breaking up the camp, the baggage was collected (*vasa colligere*) and laid on beasts of burden, and the army commenced its march.

§ 10. Battles.

236. The order of battle generally consisted of three lines, *hastati, principes*, and *triarii*, (226), posted

* This arrangement was afterwards altered.

at a certain distance from each other, and divided into maniples and afterwards into cohorts. The intervals between these were covered by the next line, so that they stood in the form of a *quincunx*. The open spaces seem to have been occupied by the light troops. The legions were in the centre (*media acies*); the cavalry, allies, and auxiliary troops formed the wings (*cornua*). Circumstances, however, sometimes rendered a different order of battle expedient; such, for instance, as the *cuneus*, or wedge, for attack; the *orbis*, for a sudden assault or movement to surround the enemy; and the *testudo*, a compact figure, chiefly employed in sieges; the whole body being covered, as with a roof, by the shields of the men. 237. The General was attended by a corps of picked men (*cohors prætoria*). Before the battle, he consulted the *auspicia*, and generally addressed some words of encouragement to the soldiers, after which he gave the signal for attack. The battle generally began with a battle-cry, and was frequently sustained at first, by the light-armed troops, and with missile weapons, but, after a time, the heavy-armed also took part in the engagement. If it was necessary to retire, the retreat was sounded (*receptui canere*).

§ 11. Attack and Defence of Fortified Places.

238. The art of attacking fortified places, from an insignificant beginning, was gradually brought to great perfection by the Romans. They were carried either by storm (*oppugnare*) or by blockade (*obsidere*). The army invested the city (*coronâ cingere, circumdare urbem, urbem obsidione claudere*), and, in the first instance, advanced in the form of a *testudo* (237), and assailed the gates and rampart (*succedere portis*). Sometimes the city was surrounded by strongly fortified lines of circumvallation, so as at once to protect the besiegers against sallies, and prevent reinforcements from being sent into the place. Within these lines was a moveable rampart (*agger*) of earth, wood, and

stones, which was advanced nearer and nearer to the city, and raised to a greater height than the walls, that the assault might be made from its summit. 239. On this mound were erected towers of several stories (*contabulatæ turres*), from which stones and other missiles, as well as combustible substances (*falaricæ, malleoli*) were discharged on the besieged by means of engines (*tormenta, balistæ, catapultæ*). Other towers were moveable, and were brought forward on rollers or wheels (*turres ambulatoriæ*). These towers had generally, on the lowest story, a battering ram (*aries*); which was swung backwards and forwards against the wall of the besieged city; and in the middle a bridge, which was let down on the wall, whilst the soldiers stood above armed with javelins and other missiles. 240. The other engines employed in sieges were the *vineæ*, a sort of shed, composed of stakes and wattles, covered with hides, and pushed forwards on wheels, under which was generally hung the *aries*; and the *tolleno*, a basket, in which the soldiers were drawn up into the place. Wherever the nature of the ground permitted, mines (*cuniculi*) were sunk, by means of which the besiegers either sapped the foundations of the walls, or forced their way into the city. The besieged, on their part, often made sallies, or threw down stones and combustibles, for the purpose of killing the besiegers, or disabling their engines. The mines were met by countermines.

§ 12. Military Rewards and Punishments.

241. Besides their share of the booty captured from the enemy, the Roman soldiers received certain rewards peculiarly military; such as the *corona civica*, a crown of oak-leaves, presented to him who had saved the life of a citizen; *vallaris* or *castrensis*, bestowed on the soldier who first entered the enemy's camp; *muralis*, for him who first scaled the walls; *obsidionalis* or *graminea*, for him who had relieved a besieged city, or an army surrounded by the enemy. Such a

crown was presented to P. Decius by the soldiers, B. C. 343, for his services in rescuing a Roman army, which had been surrounded, in addition to a crown of gold, one hundred oxen and a white steed with gilded horns given to him by the Consul. 242. The other rewards were weapons of honor, *hasta pura*, *vexillum*, *phaleræ*, *aureæ torques*, &c. These gifts were distributed by the commander-in-chief, in presence of the whole army. We sometimes hear also of an increase of allowance, or of pay, being granted by way of reward. Sulla introduced a new mode of rewarding the soldiery, by granting allotments of land to his veterans. The military punishments were, stoppage or diminution of pay or rations, degradation, cudgelling to death, and decapitation. In cases of mutiny, it was sometimes the practice to decimate the offenders by lot (Liv. 2. 59).

§ 13. Thanksgivings—Triumphs—Memorials of Victory.

243. The highest rewards that could be conferred on a general were, that he should be saluted as *Imperator* by his victorious army, that thanksgivings should be decreed by the Senate, (*supplicationes*, *gratulationes*) and celebrated at Rome, and that he should be honoured with a triumph; a distinction conferred by the Senate, and recognized in its more simple form at a very early period. The conditions of a *justus triumphus* (according to a *lex triumphalis*) were, that the individual on whom it was conferred, should, as Commander-in-chief (*suis auspiciis*) in a war regularly declared according to law against a foreign enemy (*justo et hostili bello*), have extended the boundaries of the empire, and destroyed more than 5000 enemies. The general was required to prove that he had fulfilled these conditions. 244. This being done, the procession moved from the *Campus Martius* along the *via triumphalis*, through the *porta triumphalis*, to the *Capitolium*, in the following order: a band of musicians, beasts for sacrifice, spoils taken in the war,

models of the captured cities, the prisoners, lictors with their *fasces* wreathed with laurel, the general in a *toga picta*, and *tunica palmata*, with a chaplet of laurel on his head, in a richly ornamented chariot drawn by four white horses. Last of all came the victorious army. On the Capitol the general offered up solemn prayer and sacrifices to Jupiter. This was succeeded by banquets and other festivities. In later times, the triumphs were celebrated with excessive magnificence (*triumphare*; *agere, deportare triumphum*), e. g. by Scipio Africanus, Æmilius Paullus, Sulla, Pompey, and Cæsar. 245. We find instances of generals, who, being unable to have their triumph in Rome, celebrated it on the Alban Mount. Under the Empire, the triumph was almost exclusively reserved for the general, and was often abused. There was an inferior sort of triumph called an *ovatio* (from *ovis*), in which the emperor marched through the city on foot or on horseback, with a chaplet of myrtle on his head, and sacrificed a sheep. Victories were commemorated by the erection of *tropæa*, which, at first, were trunks of trees, and, afterwards, statues of marble or brass, hung round with weapons taken from the enemy. They had also triumphal arches and columns. Sometimes the conquered foes were compelled, by way of mockery, to pass under a yoke (*sub jugum mittere*, Liv. 3, 28).

§ 14. *Military Affairs under the Emperors.*

246. From the time of Augustus, there existed a standing army composed of citizens, provincials, and allies. Under the Empire, the legions were recruited almost entirely from the provinces. The pay was raised, and the Prætorian cohorts received twice as much as the others. After a time, the legions consisted almost entirely of foreigners, who had entered the Roman service either as volunteers or compulsory recruits; and thus the fate of Rome became, at last, dependent on the will of barbarian mercenaries.

§ 15. *The Navy.*

247. The first traces of a fleet are found in the year B. C. 310; but it was not until the Punic wars that Rome seemed, strictly speaking, to have become a naval power. In the year B. C. 260, the Consul C. Duilius overcame the Carthaginian fleet. The naval force of the Romans remained, nevertheless, in a very incomplete state until the latter days of the Republic, when it gradually acquired importance. Standing fleets were maintained by the Emperors. The fleet consisted partly of large ships-of-war (*naves longæ, trirèmes, quinquerèmes*), partly of a lighter description of vessels (*actuariæ, Liburnæ*, the latter a sort of *brigantine*, very sharp in the bows, with heavy *beaks*; adopted by the Romans after the battle of Actium), and transports (*onerariæ*). The ships of war had beaks (*rostra*), with which they endeavoured to sink the enemy. Attempts were also made to set his ships on fire, or to board them by means of grappling irons (*ferreæ manus, harpagones, corvi*). 248. The naval service was less respectable than that of the army, the ships being often manned by citizens of the lowest class, and even by freed-men and slaves. The sailors were called *navtæ, remiges, socii navales*; and the marines, who were latterly a distinct corps raised especially for that service, were termed *classarii* and *epibattæ*. The allies were sometimes obliged to furnish ships and sailors. The admiral (*dux, præfectus classi*) was generally a Consul; his ship was called *navis prætoria*; the other ships were usually commanded by a Tribune, or a Centurion, assisted by *gubernatores* and *hortatores*, who directed the rowers. In winter, the ships were hauled up on land (*subducere naves; deducere* is usually to haul them back again into the sea). The harbours were often strongly fortified, and provided with docks (*navalia*). Mention is sometimes made of a *triumphus navalis* and a *corona navalis*.

E. Religion.

§ 1. *Characteristics of the Roman Religion.*

249. The chief characteristic of the Roman religion was profound veneration for certain divine beings, whose nature was dark and mysterious, but who exercised a wide spreading and decided influence over the fates, not only of individuals, but of families, and even of the state itself. We find here neither a system of dogmatical speculations concerning the essence of the godhead, nor a picture of their lives and actions, freely sketched by fancy; but the grave and practical character of the people may be detected in the purity and severity with which the representations of their supreme beings are drawn, and in the distinct expression of their own feelings of dependence upon them. This feeling discloses itself in a variety of sacred usages, which were observed with the most rigid exactness, in accordance with their published ritual, and the law and customs of their forefathers, by which certain words and forms were enjoined. It was also shown in their prayers, vows, thanksgivings, sacrifices, feasts, and games in honour of the gods; and lastly, in the investigation of numberless signs, which they believed to be revelations of the will of a godhead which pervaded all nature; and in the expiations appointed for averting the evils threatened by unfavourable omens.

§ 2. *Relation of Religion to the State.*

250. The religion of Rome was inseparably interwoven with her civil polity, both developing themselves simultaneously. Their form of worship was partly public for the whole nation, partly private, for particular persons or families; and was maintained by a code of ecclesiastical laws. Like the other Roman institutions, it was originally framed with reference to the city and its district; and the ancient forms were retained, even when the character of the government was altered.

§ 3. *Religious Sentiments of the Romans.*

251. The Romans were tolerant towards strange religions, never forcing their own belief and forms of worship on other nations; but, on the other hand, they endeavoured, as soon as their own religion had acquired a certain degree of stability, to secure it, as a national establishment, from any admixture of foreign creeds (*superstitio*): it was, however, sometimes deemed expedient to incorporate, by a public resolution, the worship of some foreign divinity into the Roman ritual. The moral fruits of their religion were *pietas*; i. e. the discharge of the duties towards gods and men, and towards parents, relations, friends, and even strangers, especially guests, together with the avoidance of all falsehood, treachery, and violation of their promises and compacts.¹

§ 4. *History of Religion.*

252. The most ancient religious worship was of Latin and Etruscan origin; but, at a very early period, the national religion was overlaid and obscured by the creed imported from Greece, to such an extent, that it is scarcely possible to reduce the combination to its original elements. As the Romans gradually felt the influence of Grecian civilization, their childlike belief in the truth of the theology handed down to them from their ancestors, and in the importance of their ceremonial law, began to disappear, first from the minds of the more enlightened, and afterwards, of the people in general. A philosophic religion was now adopted by the learned in the room of positive belief, whilst the common people eagerly embraced every form of Egyptian and Asiatic superstition. Yet religion was upheld by the deeply rooted veneration which every Roman entertained for the laws and

¹ Oaths were administered in judicial proceedings; but we are not accurately acquainted with the form.

institutions of his forefathers, long after all belief in its truth had disappeared; and even under the Empire, attempts were not wanting to revive its expiring influence over the minds of the people.

The Gods.

§ 5. *Dii Consentes*.²

253. The names of the twelve higher divinities, or *Dii consentes*, are contained in the following verses of Ennius:—

Juno, Vesta, Minerva, Ceres, Diana, Venus, Mars,
Mercurius, Jovi, Neptunus, Vulcanus, Apollo.

JUPITER. The principal temple of Jupiter, dedicated also to Juno and Minerva, was erected by Tarquinius Priscus on the *Capitolium*. His appellations were, *Optimus, Maximus, Stator, Feretrius, Capitolinus, Latiaris* (with a festival termed the *Feriæ Latinæ*, on the Alban Mount). **DIESPITER.** Sacrifices were offered to him by the Consuls when they entered on their office, by the generals on their setting out and return from war, and by conquerors, when they celebrated their triumph. The *Ides* were dedicated to him. **JUNO.** An Etruscan Juno had a temple at Veii, and after the destruction of that city her statue was brought to Rome (Liv. 5. 21, 22); her names were, *Regina, Lucina, Pronuba, Moneta*; and her festival, the *Matronalia*, on the first of March. The *Calends* were sacred to her.

254. **MINERVA.** The name seems Etruscan. The Palladium, or image of this goddess, was brought, according to tradition, into Italy by Æneas, and carefully preserved in the temple of Vesta. **VESTA.** Her

² As it is no easy matter to *classify* these deities, we have here contented ourselves with enumerating the principal gods and goddesses worshipped at Rome.

worship, according to the legend, was brought to Italy by Æneas, and introduced into Rome by Numa. In her round temple, which stood in the *forum* midway between the Capitoline and Palatine hills, there was no statue of the goddess, but an ever-burning fire, which was fed by the Vestal virgins. CERES. A few years after the expulsion of the Kings, a temple is said to have been dedicated at Rome to CERES, LIBER, and LIBERA. Festival: the *Cerealia*, in the month of April, with games in the Circus. Her worship seems, in the more ancient times, to have had especial reference to the condition of the Plebeians. NEPTUNUS. Temple on the *Campus Martius*.

255. VENUS, the mother of Æneas, and ancestress of the Julian family, especially honoured from the time of Julius Cæsar. *Genitrix*. MARS or MAVORS, the father of Romulus and Remus. *Gradivus*. His shield (*ancile*) which fell from heaven, in the reign of Numa, was preserved in his temple, of which the *Salii* were priests. BELLONA is mentioned as his sister or companion. In her temple, on the Campus Martius, the Senate decreed triumphs, and received foreign ambassadors. VULCANUS. *Mulctiber*. The *Volcanalia*, in August. APOLLO had several temples at Rome. The most celebrated of these was the Palatine, erected by Augustus, and furnished with a library. *Ludi Apollinæ* were introduced in the second Punic war. DIANA. According to Livy 1. 45, this goddess had a temple on the Aventine, dedicated by Servius Tullius, for the common worship of the Romans and Latins. Afterwards, several other temples were erected to her.

§ 6. The Dii Selecti.

256. SATURNUS, an ancient Italian deity, whose story coincides with the myths of the god *Kronos*. When he was expelled from heaven, he is said to have taken refuge in Italy, where he was hospitably received by Janus, and reigned in Latium during the golden age. *Saturnalia*, in December, a general revel, in which

slaves played a conspicuous part (being excused their ordinary work, allowed to wear the *pileus*, a badge of freedom, to speak their minds freely, and to be served at table by their masters). His wife was OPS.

257. JANUS, an Etruscan celestial deity, or, perhaps, an Italian god, who presided over gates and doors. Among the Romans, the commencement of all undertakings were supposed to be under his protection. The "Janus," mentioned by Livy (1, 19), as being open in war, and closed in peace, seems to have been a gate in the forum. There were at Rome many such gates or arched thoroughfares (*jani*). He is represented with two heads (*Janus bifrons, biceps*). His principal feast was on New Year's Day. RHEA or CYBÈLE, *mater Idæa, magna mater*. Honoured at Rome, in obedience to the injunctions of the Sibylline books, since the year B. C. 205, when ambassadors were sent to King Attalus, to bring the image of the goddess, a square stone, from Pessinus. She had a temple and feast of her own (*Megalesia*) at Rome. Her priests were called *Galli*.

258. PLUTO. *Dis*, with *Proserpina*, and other infernal deities. In the Comitium was a subterranean vault, which was supposed to be the entrance to the lower world, and was opened three times a year. The days on which this took place were esteemed unlucky. BACCHUS. *Liber*. The *Bacchanalia*, or riotous festival of this god, were abolished by a decree of the Senate B. C. 186. SOL, often confounded by the Romans as well as the Greeks with *Apollo*, as LUNA with *Diana*. GENIUS, a being which was supposed to attend man from the cradle to the grave, and share his joys and sorrows. The Romans were accustomed to swear by their genius, and to propitiate him with oblations of wine, flowers, and rye, particularly on the Saturnalia (256) and on birthdays.

§ 7. Other Beings to whom divine honours were paid.

259. TERMINUS, an ancient Italian god, whose deification is ascribed to Numa. His altar was on the

Capitoline hill, from which, as tradition relates, he refused to stir, when Tarquin wished to remove some of the smaller chapels in order to make room for a temple of Jupiter. (Liv. 1, 55.) Consus, the god of secret counsels, confounded with *Neptunus equester*. He seems to have had a subterraneous altar. The *Consualia* were games of the Circus celebrated in August. DEUS FIDIUS, originally *Semo* or *Semo Sanctus*, the god of contracts, and protector of popular rights; an ancient Sabine Deity. In later times we often find him confounded with Hercules, whose worship, according to tradition, was introduced by Evander. (Liv. 1, 7.)

260. QUIRINUS; perhaps also a Sabine deity. The name seems to have been given to Romulus after his apotheosis. VERTUMNUS, a Tuscan god, who presided over agriculture and gardening. His wife was POMONA. FLORA, the goddess of flowers. FAUNUS, a rural deity, often confounded with PAN (*Lupercus*), an Arcadian pastoral god, whose worship, according to tradition, was introduced into Italy by Evander (*Lupercalia*). His wife was FAUNA, confounded with Ops, Cybèle, and Bona Dea, whose feast was celebrated only by women in the Prætor's house.

261. SILVANUS, (Liv. 2, 1.) an Italian god of the woods. PALES, a pastoral god, whose feast (*Parilia*), April 21, was considered the birthday of Rome. LARES, Guardians of the house; properly the peaceful and beneficent spirits of the dead. Their statues stood on the hearth. On festival days oblations of flowers, wine, rye, and wheat, were placed before them. There were also *lares viales, rurales, compitales* (*Compitalia*, a feast in December). PENATES, in the *Penetralia* of the temples and houses. Their images stood in the *impluvium*. MANES, *dii manes*, the souls of the dead, which were honoured as beings of a higher order, and propitiated with an annual feast (*feralia*).

262. Besides these there was a crowd of inferior deities, borrowed from the Grecian mythology, e. g. *Latina*, *Castor* and *Pollux*, *Leucothœa* (*mater matutina*)

and her son *Palæmon* (*Portumnus*); *Æsculapius*, whose image was brought to Rome by command of the oracle in consequence of a pestilence, and placed in a temple on the banks of the Tiber (B. C. 291). We find also various divinities or personifications, whose personal existence is involved in obscurity; such as *Fortuna* (*virilis, muliebris, equestris*), *Victoria*, *Pax*, *Concordia*, *Pietas*, *Honos*, *Pallor et Pavor*; *Pudicitia patricia, plebeia*; *Dea Roma*, &c., whose figures are frequently found on coins.

§ 8. *Authority of the Senate in religious affairs.*

The Senate was charged with the superintendence development, and political application of religious belief and worship. In fulfilment of these duties it resisted the introduction of strange forms of worship, forbade the Bacchanalia, decreed the admission of new gods into the calendar of the state, appointed thanks givings, the examination of the Sibylline books, &c.

§ 9. *Colleges of Priests. Pontifices.*

264. The whole of their religious systems, with the regulations respecting festival days, temples, and their revenue, &c., was described in their ancient books (*jus pontificium, commentarii pontificum*) which were under the care of a college of *Pontifices*, founded by Numa, and presided over by a *Pontifex maximus* (Liv. 1, 20). They were charged with the administration of the ecclesiastical law, and decided questions relating to it; prescribed the ceremonial of any new public or private worship, prepared the forms for public prayer and vows, interpreted prodigies, inaugurated magistrates in the *Comitia curiata*, compiled the *fasti*, and might inflict punishment by their own authority on persons guilty of offences against religion. 265. The college originally consisted of four members, all of whom were Patricians; but after the passing of the *lex Ogulnia*, an equal number of Plebeians was ad-

mitted.³ During Sulla's administration the number amounted to fifteen. Under the Emperors it was indefinite. Their insignia were the *toga prætexta* and *pileus acutus*. Under them were a crowd of *scribæ* (*pontifices minores*). The especial duty of the *Pontifex maximus* was to superintend the service of Vesta, and the preparation of the *Annales Maximi*, until the time of P. Mucius Scævola (Cons. 133).

§ 10. *Triumviri (afterwards Septemviri) Epulones.*

266. After the year B. c. 198 these officers were charged with the management of the banquets at the great festivals, which before that time had been superintended by the *Pontifices*.

§ 11. *The Augurs.*

267. The Augurs, an office introduced by Numa, and probably of Etruscan origin, were versed in a science derived from tradition and the revelations of their sacred books, through which they interpreted the will of the gods, as manifested by certain appearances. They consecrated men and places, and were consulted on all important occasions. The inspection (*spectio*) was conducted by a competent magistrate in conjunction with an Augur, who interpreted the signs which presented themselves, and whose sentence (*obnuntiatio*) all were bound to respect. All magistrates had the right of consulting auspices (*auspicia habere; suis auspiciis rem gerere*), except the Proconsuls and Proprætors. 268. The auspices of the higher functionaries had precedence over those of the lower. In the year B. c. 167 a *lex Ælia* conferred on magistrates the right of preventing the holding of Comitia, by simply observing the signs of the heavens (*servare de cælo*), a method to which they often had recourse, until the privilege was withdrawn, at least in part, by Clodius.

³ In the year B. c. 252 a Plebeian for the first time was nominated *Pontifex maximus*.

If any error occurred in the auspices, the college might, by its sentence, pronounce the election void, and annul the laws which had been passed. The persons elected were then said to be *vitio creati*. Even when the belief in the supernatural knowledge of the Augurs had declined, the practice was still retained for political purposes. The number of the Augurs was originally four, but by the Ogulnian law, five Plebeians were added; and under Sulla it was increased to fifteen. 269. The public Augurs were highly respected, and were generally men of exalted station. Besides these there were private Augurs, generally Marsians and Sabines, who interpreted all sorts of prodigies for hire. The most important auguries were those derived from birds, from the sky (particularly from lightning); and the war auguries, which were drawn from the manner in which fowls ate their food (*tripudium solis-timum*, = a favourable omen, when they took it so greedily, that portions fell from their beaks upon the ground). It was customary to observe not only the song (*oscines*), but the flight of birds (*alites præpètes*). The Augurs took their station after midnight on some open ground, and after offering sacrifices and prayers, proceeded with veiled heads to trace out in the heavens (*templum capere*⁴) a particular region with their (crooked staff, called) *lituus*. (Liv. 1, 18.)

§ 12. Priests for the Sibylline Books.

270. In the Sibylline Books, which Tarquin, according to tradition, received from the Cumæan Sibyl, was inscribed, as men believed, the fate of the Roman empire. In great emergencies they were consulted (*adire, inspicere, consulere libros Sibyllinos*) on the motion of the Senate and the College of Pontifices, by

⁴ The *templum* was any place consecrated by auspices, and appropriated to them. The expression is applied also to the sky, which was divided by the *lituus* into certain regions. Most of the *ædes sacræ* at Rome were *templa*; as well as the spots on which important public business was transacted, such as the *curiæ, rostra*, &c.

priests appointed for that purpose, who also offered the sacrifices prescribed by the books. Their number at first was two; then ten, five Patrician and five Plebeian; and afterwards fifteen (*decemviri sacrorum, quindecimviri libris Sibyllinis inspiciendis* or *sacris faciendis*). 271. In addition to these duties they were charged with the management of the yearly games in honour of Apollo and Diana, and the *Ludi seculares*. The Sibylline Books were kept in the temple of Jupiter Capitolinus, but after their destruction by fire in the year B. C. 83, fresh Sibylline oracles were compiled, and deposited by order of Augustus in the temple of Apollo.⁵

§ 13. *Fetiales*.

272. The Fetiales were a college of priests instituted by Numa, and established on a more regular plan by *Ancus Martius*.⁶ Their business was to conduct the religious ceremonies practised in declarations of war, and when peace was concluded. If any other nation encroached on the Roman frontier, Fetiales were sent to demand satisfaction with the usual ceremonies (*res repetere, clarigatio*). If this were not granted within a specified time, war was declared by throwing a lance into the enemy's territory, a ceremony which, at a later period, when more distant wars were waged, was performed figuratively in front of the temple of Bellona. 273. The Fetiales were also employed in concluding alliances, and in offering the sacrifices required on such occasions (*icere, ferire fœdus*, Liv. 1, 24). Their number was twenty. The President was styled *pater patratus*. Their influence, at least in later times, was insignificant as compared

⁵ Another method of ascertaining the decrees of the gods was the *sortes sacre*, or tablets inscribed with hieroglyphics, which were kept in the temples of Fortuna at Præneste and Antium, and consulted publicly (*sortes ducere*).

⁶ The *jus fetiale* seems to have been framed by him on the model of the *Æquicollæ*

with the four colleges already described. Even as late as the time of the Emperors, mention is made of Fetiales.

§ 14. *Haruspices.*

274. The Augurs were accustomed, on public occasions, to interpret the will of the gods from certain definite signs; whilst, on the other hand, the Haruspices, who were not a sacred college, employed themselves in drawing omens from an examination of entrails (*extispicia*), and in setting before the people the demands (*postulata*) of the gods, and the means (generally *hostiæ majores, novendiale sacrificium*'), by which such impending misfortunes might be averted, as were threatened by lightning and other portents (*prodigia, portenta, monstra, ostenta, procurare prodigia*). Their science (*haruspicina*), concerning which, in Cicero's time, there existed *libri Haruspicini et fulgurales et rituales*, was taught in Etruria in schools from which it was disseminated throughout Italy. From these schools Haruspices were frequently summoned to Rome by the Senate, on the motion of the pontifices. 275. In the latter days of the Republic, the Haruspices acquired greater importance. They often accompanied the army in its campaigns, and were attached to the suite of provincial governors; and even in the time of the Empire, attempts were made to sustain the Etruscan discipline; but it was gradually superseded, and thrown into the shade by the astrological and prophetic science of the Magians and Chaldeans.

§ 15. *Rex sacrificulus, Flamines, Curiones.*

276. The *Rex sacrificulus* or *sacrorum*, who after the expulsion of the Kings superintended the religious observances formerly conducted by them, was nevertheless subject to the Pontifex. None but Patricians

⁷ See Cicero, Orat. in Cat. 3, 8.

could fill this office, nor was it tenable in conjunction with any other appointment.

277. *Flamines*. Priests appointed for the temple-service of particular gods, each of whom had one. There were fifteen of them altogether; of whom the chief were the *Flamen Dialis*, *Martialis*, and *Quirinalis*. These were always Patricians. The *Flamen Dialis* was subject to many peculiar restrictions. The death of his wife (*Flaminica*), by whom he was assisted in the performance of various ceremonies, rendered him, as a matter of course, incapable of retaining office. As the Emperors were gradually deified, the number of *Flamens* increased very considerably. *Curiones*. Priests for the *curiæ* under a *Curio maximus*. This office was latterly held by Plebeians as well as Patricians.

§ 16. Communities of Priests for the service of particular deities—the *Vestals*.

278. The *Virgines Vestales* were appointed by Numa to feed the sacred fire, and guard the relics which were kept in the temple of Vesta. They enjoyed important privileges, such as freedom from parental control, a *Lictor*, a particular seat at the public shows, and the right of liberating any condemned malefactor, whom they might meet on his way to execution. They were, however, subject to the superintendence of the *Pontifex maximus*, who could inflict a severe punishment on them for suffering the sacred fire to be extinguished, or for unchastity. Vestals convicted of the last mentioned offence, were buried alive in the *Campus sceleratus*. 279. The number of Vestal virgins was at first two, then four, and afterwards, when the tribes were increased, was raised to six. They wore a white robe, and a fillet round the head (*infûla*). Whenever a vacancy occurred, the *Pontifex maximus* was required by the *lex Papia* to find twenty virgins of good family, free from bodily defects, and with various other qualifications, one of whom was

chosen by lot (*capere virginem Vestalem*). At a later period they were generally admitted as candidates on the recommendation of their parents. Their term of service was thirty years, at the expiration of which they were permitted to marry.

§ 17. *Salii, Luperci, Fratres Arvales, Sodales Titii, Galli.*

280. *Salii Gradiui*, priests of Mars, twelve in number, appointed by Numa to guard the (sacred shield) *ancile* which fell from heaven, with the eleven made after the same pattern (to prevent the loss by theft of the genuine one, on the safety of which the existence of Rome was supposed to depend). On the first of March, they performed a solemn dance through the city, singing at the same time the *carmen Saliare* (Liv. 1, 20). They were exclusively Patricians. *Salii Palloris et Pavoris*, also Patricians. Their creation is ascribed to Tullius Hostilius. 281. *Luperci*, priests of Pan, who marched in procession (on the *Lupercalia*) from the grotto of Pan (*Lupercal*), through the city to the Palatine hill, wrapt in goat-skins. On reaching the hill they offered sacrifice to Pan. The establishment of this worship is attributed to Evander (Liv. 1, 5), and was introduced into Rome by Romulus. The *Luperci Julii* were established by the Senate in honour of Julius Cæsar. *Fratres Arvales*, twelve in number, superintended the great yearly rural sacrifice of purification, at which they sang a hymn in the ancient language of Latium. *Sodales Titii* were appointed for the conservation of the ancient sacred usages of the Sabines. Under Tiberius, there arose *Sodales Augustales*, and others again after the apotheoses of successive Emperors. *Galli*, priests of Cybèle, were Phrygian eunuchs, who marched in noisy procession through the city on the feast of Cybèle, with singing and music, and collected offerings.

§ 18. *Election of Priests.*

282. The colleges of priests were filled up by co-optation. When a *Pontifex maximus* died, his colleagues elected a *Pontifex*, and the people chose the *Pontifex maximus* from the members of the college; but in the year B. C. 104, it was enacted by the *lex Domitia*, that the election of priests should be conducted by seventeen tribes chosen by lot, and that the person so elected should be confirmed in his office by the co-optation of the college. Sulla annulled this arrangement; but it was afterwards re-established. At a later period, the right of nomination was claimed by the Emperor. Bodily defects disqualified for the priesthood. As the priests were not magistrates, all, with the exception of the *Rex sacrificulus*, were permitted to hold a plurality of spiritual, or spiritual and secular offices. The *Sacerdotia* were tenable for life.

§ 19. *Priests' Servants.*

283. Several servants and assistants were assigned to the priests for the performance of the inferior offices: for example, the *popæ*, *victimarii*, slayers of victims; *æditui*, sacristans; *pullarii* (who kept the sacred birds, 269), *extispices*, *tibicines*, *tubicinæ*, &c. The *Flamen Dialis* and the Vestal virgins had *Lictors*. The boys who attended on the *Flamen Dialis*, and assisted at other sacred ceremonies, were termed *camilli*.

Worship.

§ 20. *Worship in general.*

284. Their worship was either *public*, and concerned the whole state, or portions of it, such as the tribes or *curiæ*; or *private*, belonging to individuals or *gentes*, in which it was hereditary. We have already

spoken of the manner in which the will of the gods was ascertained by means of auspices, extispicia, and the Sibylline books. The rest of their worship consisted of prayers, vows, sacrifices, and the solemn observance of festivals and games in honour of the gods. All acts of worship were conducted in a regular and solemn manner; every object being removed which could produce an unfavourable impression. Thus it was required that all the attendants should be clean in their persons and dress, and that no harsh sounds or words of evil omen should be heard; that the best victims should be selected, and led without compulsion to the altar: that the priests should be free from bodily defects; and that no punishments should be inflicted on festival days.

§ 21. *Prayers and Vows.*

285. Public prayers were offered up by the magistrates, after a form prepared and recited by the priest (who was said *præire carmen*). The public days of supplication (*supplicationes*) were either *obsecrationes*, appointed for propitiating the favour of the gods and averting their wrath, or thanksgivings (*gratulationes*). Under this head may be classed the great festal banquets, at which the statues of the gods were brought forth (and placed at table on couches before their sacrificial feasts) (*lectisternium*, Liv. 5, 13; *ad omnia pulvinaria sacrificatum*). Prayers were often accompanied by vows (*vovère*; *vota facere*; (a person whose prayer was granted, and therefore his vow *due*, was) *voti compos*, *reus*, *damnatus*). Persons who had been in danger, during a sea voyage for instance, were accustomed, in fulfilment of their vow, to suspend a representation of the event (*tabula votiva*) in the temple of the god to whom they attributed their preservation.

§ 22. *Sacrifices.*

286. The sacrifices (*sacrificia*) were the most important part of public worship.^a Particular animals were offered to each of the gods. The whole proceeding was exceedingly solemn and ceremonial. The sacrificer approached the altar clothed in white. The victim (*victima, hostia*), which must be without blemish, and never have felt the yoke, was decorated with ribbons (*infŭlæ, vittæ*), and garlands, and its horns sometimes gilded. It was led to the altar by an attendant (*papa*). The priest then called on the unpurified to withdraw (*procul este profani*), and commanded silence (*favete linguis*). The brow of the victim, as well as the altar, was sprinkled with the sacrificial cake mingled with salt (*mola salsa*; whence, *immolare*). 287. The animal was then slaughtered, and its entrails inspected by the *extispices*. The offal (*exta*) was burnt, and a solemn banquet prepared. A purificatory offering (*lustratio*) was so termed, when the victim was led round the object intended to be purified. It was either public or private (*lustratio populi*, after the *census, urbis, agrorum*). We find in the Roman history, instances of persons, who dedicated or devoted themselves to the gods in the field of battle, according to a settled form, and sought death that they might insure victory to the Roman arms.

§ 23. *Holy Seasons and Festivals.*

288. Days were either dedicated to the worship of the gods, and consequently free from public business (*dies festi*), or open for the transaction of secular affairs (*dies profesti*^b). Of the festivals (*feriæ*), a

^a The term *sacrum* expresses every thing consecrated by man to the service of the gods.

^b *Dies intercesi* were days of which a portion was set apart for each of these objects. We must distinguish between this division and that of *dies fasti*, which were days set apart for legal proceedings in opposition to the *nefasti*. Another division was into fortunate days and unfortunate (*infausti, atri*), on which it was not considered advisable to commence

great number were observed with solemnity. They were either *stativæ*, certain fixed days of the year, or *conceptivæ*, which were appointed by a magistrate (e. g. the *feriæ Latinæ* on the Alban mount, introduced by Tarquinius Superbus), or *imperativæ*, on particular occasions; e. g. the *sacrum novendiale* (Liv. 1, 31), appointed in consequence of its having rained stones. 289. Our knowledge of the festivals is derived from the *Festi calendares*, which contain a list of holidays, and from the poetical account of them given by Ovid in his *Fasti*. Among the *feriæ stativæ*, we may mention, as examples, the *Lupercalia*, on the fifteenth of February; the *Matronalia*, and the festival of Mars, on the first of March; the *Megalesia*, or feast of Cybele, on the fourth of April; the *Parilia*, on the twenty-first of April; the feast of the *Bona Dea*, on the first of May; of Castor and Pollux, with the *transvectio equitum*, or annual solemn procession of Knights, on the Ides (i. e. the fifteenth) of July; and the *Saturnalia*, a revel which began on the nineteenth of December, and lasted several days (256).

§ 24. Games.

290. To the festal celebration of public worship belonged also the games, which were either *stati*, permanent, like the *ludi Apollinares*, and the *ludi Romani*, *magni* or *maximi*, instituted by Tarquinius Priscus, in honour of Jupiter, Juno, and Minerva, and held in the *Circus Maximus* during eight days in the month of September; or extraordinary, which were celebrated in consequence of vows, or at the funerals of private persons. The games were *circenses*, *scenici*, and *gladiatorii*. 291. The *circenses* (from the *Circus*, a long building rounded at each end) were of Etruscan origin. (Liv. 1, 35.) They were introduced with a solemn

any important undertakings. Of this character were the days which immediately followed festivals, or which succeeded the *calendæ*, *nonæ*, and *idus*, or days signalized by any public calamity, such as the *dies Alliensis* (anniversary of the defeat of the Roman army by the Gauls at the *Allia*).

procession, and consisted of the *cursus equester* on horseback, or in chariots with *bigæ* or *quadrigæ*; the *certamen gymnicum*, the *πέριαθλον* of the Greeks (*saltus, cursus, lucta, pugillatus, discus*) the *pugna pedestris et equestris*, e. g. *Troja*, a sort of tournament on horseback; *venationes*, combats of wild beasts, either with one another, or with men hired for the purpose, or condemned malefactors (in the time of the Emperors, *ad bestias damnati*); *naumachia*, naval engagements in the *Circus*, or in buildings erected for that purpose and supplied with water. 292. The *scenici* seem to have been introduced in the year B. C. 364, when, in order to avert a pestilence, festivals were instituted, to which actors and dancers were brought from Etruria. (Liv. 7, 2.) They were performed in *theatra*, large semi-circular buildings, the round part of which was fitted up with benches (*cavea, cunei*), the remainder being occupied by the *scena*; (the *orchestra* was also *semi-circular*, and set apart for *Senators*, foreign Ambassadors, &c. In B. C. 63, the next *fourteen* benches were appropriated to the Knights by a law of L. Roscius *Otho*). The theatres were without a roof, but were generally sheltered from the sun or rain by canvas stretched over the top; they were built of wood, and broken up when the performance was over, until the time of Pompey, who was the first that constructed a theatre of stone. The dramatic pieces were purchased from their authors by the *Ædiles*. The recitation was accompanied by flutes, and the actors generally wore masks (*personæ*). 293. The *gladiatorii* (*munera*) were also of Etruscan origin, and first introduced at funeral solemnities; but subsequently presented at banquets, or for the amusement of the people, sometimes at the public expense, and sometimes at the cost of individuals. They were performed in an amphitheatre or round building, furnished in the centre with a stage (*arena*) for combat. The gladiators were divided into *familia*. They were generally slaves, prisoners, malefactors, and sometimes free men who hired themselves out for that purpose. 294. They were instructed by

a *lanista* in the use of various weapons, from which they derived their different names of *Samnites* (from their *Samnite* armour, especially the *scutum*), *retiarii* (from the *net*, *rete*, with which they tried to entangle their adversary, whom they then dispatched with their three-pointed lance, *tridens* or *fuscina*), *essedarii* (from their fighting from the Gallic or British war-chariots, *essēda*), *andabatae* (who fought blindfold, having helmets with no apertures for the eyes, *mirmillones*, whose name was from *μοῖνύρος*, the image of a fish on their helmet; their arms were *Gallic*; and they generally fought with the *retiarii*, or with *Thraces*, armed with the Thracian round buckler, and *sica*, dagger). 295. They fought, at first, with blunt weapons (*rudes*, *arma lusoria*), in order to prove their skill (*præludebant*). The *arma decretoria* were then put into their hands. The fate of those who were conquered depended on the will of the people (*pollicem premere*, to turn down the thumb, the sign that they were to be spared; *vertere*, to turn it up, the signal for their death, *recipe ferrum*). The gladiators were men of rough and savage habits, and their name was often used as a term of reproach.

§ 25. Holy Places and Furniture.

296. Buildings and spots were set apart for the celebration of public worship. Of this sort were *templa*, *ædes*, *sacræ*, *delubra*, *fana*, *sacella*, *ædiculæ*, *luci*. To the temple belonged the *area*, *vestibulum*, *cella*, *statua*,¹ *ara*, *altaria*,² *vasa sacra*, e. g. the *thuribulum*, *acerra*, *patēræ*, *tripödes*, &c. Places which had been struck by lightning were enclosed and treated as sacred (*bidental*, either from *bidens*, a sheep, the victim by which it was consecrated, or *bidens* = forked lightning; *puteal*,

¹ According to one account, the Romans for one hundred and seventy years had no statues of the gods.

² The word *ara* properly signifies any elevated spot. It is frequently used to express the smaller altars in front of the statue, the term *altaria* being applied to the great altar of sacrifice outside the temple.

not a general term for *this*, but for the *stone enclosure* round a well, *puteus*: The spot in the forum where a *sacellum* had been struck by lightning, was enclosed by *Scribonius Libo* with such a *puteal*; *puteal Libonis*). 297. Among the sacred things were the *infûlæ* and *vittæ*, bands and ribbons which were bound round the head of the priest, as well as round the altar and victim; and *verbênæ*, sacred herbs and leaves, used by the priests at their sacrifices, and by the Fetiales. Every thing belonging to the gods, or connected with religion, was solemnly dedicated by sacrifices and prayer. The dedication of temples (*dedicatio*) was performed either by the Consuls, or by duumviri especially appointed for that purpose. These duumviri were frequently the parties by whom the building of the temple had been vowed.

§ 26. *Division of Time.*

298. The division of time being closely connected with the observances of religion and festivals, was also intrusted to the care of the Pontifices. The year of Romulus seems to have contained ten months, and began in March. March, May, July (*Quintilis*), and October, had each thirty-one days, and the other months thirty. Thus the year consisted of three hundred and four days.³ Others suppose, that the year of Romulus was a solar year, with an indefinite number of days in each month. Numa's year (or, according to other authorities, that of Tarquinius Priscus) was a lunar year, consisting of twelve months, of which January and February were the last. 299. This year had three hundred and sixty-five days, and was at once a *lunar* year, and one in which it was necessary to have regard to the *sun*, there being many feasts which were to be held *both* on *particular days of the*

³ According to Niebuhr, six such years, or 1824 days, which corresponded within one day to five solar years of three hundred and sixty-five days, made a great year or *lustrum*, a portion of time, in which the beginning of the civil year corresponded with that of the solar.

month, and at *particular seasons*, e. g. the *Cerealia*, *Parilia*, on which, according to tradition, Rome was founded. To secure the necessary agreement, recourse was had to intercalation; a process which seems to have been more accurately defined in the Decemviral year, where a short month of twenty-two or twenty-three days was intercalated every second year. This month (*mensis intercalaris*) was inserted towards the end of the year; viz. after the twenty-third of February, the five last days of that month being comprehended in it.⁴ 300. The record of this arrangement was kept by the *Pontifex maximus*; but ignorance and dishonesty (the attempts, for example, made by certain parties to prolong the period of their continuance in the magistracy, or of holding government contracts) latterly produced such confusion, that in the year B. C. 46 (*annus confusionis*, an intercalated year with four hundred and forty-five days), Julius Cæsar, with the assistance of the astronomer Sosigenes, undertook a complete reformation of the system. The Egyptian solar year was now introduced, and three years of three hundred and sixty-five days were regularly succeeded by a fourth of three hundred and sixty-six. Cæsar inserted the intercalary day, between *a. d. vii. et vi. cal. Mart.*, and named it *a. d. bissextum cal. Mart.*; but shortly after his death an error was again introduced by the premature intercalation of a year. 301. After lasting thirty-six years, this error was corrected by Augustus, who named *Sextilis*, August, and

⁴ Ideler has remarked, that this intercalation of ninety days in eight years, answers to the Oktæteris of the Greeks in the time of the Decemviri. According to Niebuhr, the lunar year was brought into accordance with the solar by the insertion ten times in twenty-two years, and fifty times in one hundred and ten, of one month, consisting alternately of twenty-two and twenty-three days. At the fiftieth intercalation, in order to coincide accurately with the solar year, instead of a month of twenty-three days, one of twenty-two days was inserted; and for the purpose of ascertaining when the fiftieth time arrived, each intercalation was marked by the driving of a nail. A period of one hundred and ten years was termed a *seculum*, and contained twenty-two lustres, a portion of time in which the years of ten and twelve months and the solar year again began on the same day.

Quintilis, July; because Julius Cæsar was born in that month. The month was divided by the *idus* into two unequal portions; the *idus* in March, May, July, and October, falling on the fifteenth, and in the other months on the thirteenth. The *eighth* day before the *idus* was termed *nonæ*⁵ (according to the Roman practice of including the day from which they counted back). The first of each month was called *Calendæ*. In dating, they reckoned backwards from the following term (i. e. from the following *Calends*, *Nones*, or *Ides*); for example: the thirty-first of January was denominated *pridie calendas Februarias*; the thirtieth, *ante diem tertium calendas Februarias*; and so in all other cases. (For a fuller account, see the questions on this section.) 302. The Roman week contained eight days,⁶ until the introduction of the week of seven days with the Christian religion. They divided the day into twelve hours, which varied according to the length of the days, and the night into the same number. Three hours of the night made a *vigilia*. The progress of time was indicated either by sun-dials (*horologia solaris*⁷) or by water-clocks (*clepsydræ*). Since it is only at the *equinoxes* that the day consists of *twelve hours* in our sense of the word *hour*, the length of an hour, and time of the morning, at which the first hour began, were both subject to great variations. 303. Our hours, therefore, will sometimes differ widely from those of the Romans, the difference increasing directly as the distance from either equinox, and being greatest, therefore, at the *solstices*. *Ideler* gives the following approximate calculation, for the summer and winter solstices (cf. *Becker's Gallus*, p. 252, Eng. Trans.) To simplify it, the *seconds* are omitted.

⁵ (In March, July, October, May
The *nones* are on the seventh day.

hence the *Ides* on the fifteenth).

⁶ *Nundinæ*, i. e. those days on which the country people come into the city to buy and sell.

⁷ The sun-dial seems to have been introduced about the time of the war with Pyrrhus, and the water-clock at a later period.

S. S. = Summer Solstice. W. S. = Winter Solstice

Hour.	S. S.	W. S.	Hour.	S. S.	W. S.
1	4 27	7 33	7	12	12
2	5 42	8 17	8	1 15	12 44
3	6 58	9 2	9	2 31	1 29
4	8 13	9 46	10	3 46	2 13
5	9 49	10 31	11	5 2	2 58
6	10 44	11 15	12	6 17	3 42
			Day ends	7 33	4 27

304. The following lines from Martial are often quoted for the Roman distribution of the day, with regard to the various employment of its hours :

Prima salutantes atque altera continet hora ;
Exercet raucos tertia cauidicos :
In quintam varius extendit Roma labores ;
Sexta quies lassis, septima finis erit ;
Sufficit in nonam nitidis octava palæstris ;
Imperat exstructos frangere nona toros.

CIVIL AND PRIVATE LIFE.

§ 1. *Private and Domestic Life.—Education.*

305. The subjects of marriage, divorce, parental authority, and the law of inheritance have been already discussed. The habits of female life gradually lost their original simplicity and domestic character ; whilst the love of display and extravagance increased to such a degree, that in the time of the second Punic war an attempt was made by the Tribune Oppius to limit the expenditure by law. Women frequently visited the places of public amusement, and were altogether strangers to the retiring modesty which distinguished the ladies of Greece. 306. The education of children was of a practical and eminently political character. In the olden time an important part of the instruction given to young persons, consisted of lectures on the laws of the Twelve Tables, and gymnastic exercises. At a later period education was conducted more on the Grecian plan. The boys, after learning the first ele-

ments, either at home or at elementary schools under the superintendence of a *pædagógus*, attended the schools of the grammarians, where they read the works of the national poets and learnt Greek. 307. On assuming the *toga virilis*,⁹ they endeavoured to qualify themselves for their future position by rhetorical exercises, diligent attendance on public proceedings, and taking, at an early age, their share of military duty, frequently under the superintendence of distinguished men, to whom they were recommended by their fathers or relations. Opportunities were afforded them of completing their gymnastic education by joining in the sports of the *Campus Martius*. Many of them also visited the Grecian cities, especially Athens, for the purpose of studying under the most renowned philosophers.

§ 2. Names.

308. Of the three names usually borne by the Romans, the first (*prænomen*), as Marcus or Caius, indicates the individual; the second (*nomen*), as Tullius, Julius, the *gens*; the third (*cognomen*), as Cicero, Cæsar, Scipio, the family or *stirps*.⁹ A fourth name was sometimes added, which had been acquired by illustrious actions, or by adoption, or other circumstances, e. g. CORNELIUS SCIPIO AFRICANUS ÆMILIANUS *Minor*; M. PORTIUS CATO CENSORIUS SAPIENS; P. LICINIUS CRASSUS MUCIANUS DIVES. The daughters bore the name of the *gens*, MUCIA, LIVIA, CORNELIA, TULLIA.

§ 3. Sources of Income.

309. Even allowing that trade was carried on at a very early period, as the founding of *Ostia*, and the

⁹ A solemn act, which took place in the *forum*. On this occasion the *toga prætexta* was exchanged for a *toga virilis* or *pura*, as a sign of their having attained the age of manhood, and entered on a life of greater freedom. It is not quite certain at what age this took place; but it is generally supposed to have been at the end of the fifteenth year. Other writers imagine that it was left to the discretion of the father.

⁹ With the addition sometimes of a nearer family name, as Publius Cornelius Scipio Nasica.

first commercial treaty with the Carthaginians would seem to indicate; still the most important source of income was agriculture, and the produce of their landed property (*fructus*) the principal support of the Senators, who could neither occupy themselves with *quæstus* as traders, nor come forward as farmers of the revenue, or contractors for the performance of great public works. Landed property was, however, very unequally divided; and in the latter days of the Republic, the number of free yeomen was greatly reduced by the flocking of the country people to Rome, where they were maintained by distributions of corn and bribes, whilst the land was cultivated for the most part by slaves. 310. Commercial dealings also, especially in the produce of the provinces (*mercatura*), and money speculations (*negotiatio*) were important sources of profit. Exchanges and payments were effected for the most part by the aid of the *argentarii* or *mensarii*, who carried on a considerable exchange and banking business with their own capital, and that of other persons. Trade on a small scale (*mercatura, si tenuis est*, Cic.: with all retail dealing, and), mechanical occupations, were less highly esteemed (Cic. de Off. 1, 42). With the stream of wealth which flowed into Rome from all quarters in the latter days of the Republic, extravagance increased at a fearful rate, and displayed itself in the pomp and luxury of domestic life, as well as in the enormous public distributions of money and corn, public banquets, and shows.

§ 4. Coinage.

311. The first coined money (*æs signatum, pecunia, numus*) was of bronze (*æs*, i. e. *copper* and *tin*; not *brass*, which is *copper* and *zinc*). Servius Tullius was the first who struck gold money. The superintendence of the coinage, like all other financial arrangements, afterwards devolved on the Senate, and was discharged by the *triumviri monetales* (iii viri AAFF, i. e. *auro, argento, aeri* (= *æri*) *flando, feriundo*). An *as* was

at first equivalent to a *libra* or pound, and was divided into 12 *uncia*, 2 of which = *sextans*, 3 = *quadrans*, 4 = *triens*, 5 = *quincunx*, 6 = *semis* or *semissis*, 7 = *septunx*, 8 = *bes*, 9 = *dodrans*,¹ 10 = *dextans* or *decunx*, 11 = *deunx*. Several of these, however, were only imaginary coins. 312. The larger coins were the *decussis* = 10 *asses*, the *tripondius* = 3 *asses*, and *dupondius* = 2 *asses*. The most ancient *asses*, as being equivalent to a *libra*, were *asses librales* (*æs grave*), but at a later period they suffered considerable reduction, and gradually sank in value, until they became at last worth only $\frac{1}{2}$ *uncia* of copper. 313. Silver was first coined in the year B. C. 269. The silver pieces were the *denarius* (*bigatus*, *quadrigatus*, from its *impression* being a *biga* or *quadriga*), which at first contained 10 *asses*, but subsequently 16, except with reference to the military pay, which was reckoned by the old standard. The *quinarius* had 5 *asses*, and afterwards 8, the *sestertius*² $2\frac{1}{2}$, and subsequently 4. The character by which it was expressed was IIS or HS. Gold *denarii* (*aurei* = 25 *silver denarii*, in the time of the Empire *solidi*) were first struck in the year B. C. 207. 314. Large sums were generally reckoned in *asses* and *sestertia*; but we must distinguish between the *sestertius* and *sestertium*,³ the latter being a *sum* of 1000 *sestertii*. If the sum amounted to 10 times 100,000 or more, the word *sestertium* was employed in the singular number with the addition of a numeral adverb, the word "hundreds" being understood, e. g. *Bononensi coloniæ subventum est centies sestertii largitione* (Tac. Ann. 12, 58) i. e. with a present of 10,000,000 *sestertii*. See a fuller account in the questions on the section.

¹ *Dodrans*, i. e. de-quadrans = (12-3) 9 *uncia*: *deunx* = (12-1) 11 *uncia*. *Bes* = be-is = binæ partes *asses*, i. e. $\frac{2}{3}$ of an *as*, or 8 *uncia*.

² *Sestertius* = semis tertius, i. e. 'the third, a half-as,' implying that the first and second were each a whole one.

³ Properly the genit. plur. for *mille sestertium* (= *sestertiorum*), but latterly declined as a substantive, e. g. *binæ sestertia*.

§ 5. *Measures.*

315. In *long* measure the *pes* formed the unit. This contained 4 *palmæ* (hand's breadths), 12 *pollices* (thumb's breadths), 16 *digiti* (finger's breadths), but was also divided as a whole (*as*) into 12 equal parts (*unciae*). *Cubitus*, an ell, was = $1\frac{1}{2}$ *pes* : *passus* = 5 *pedes* : 125 *passus* made a *stadium* ; 8 *stadia* (1000 *passus*) a *milliarium*. The *superficial* measure was *jugerum*, which was 240 feet in length, and 120 in breadth. 316. The measure for *dry* and *liquid* goods was *culeus*, containing 20 *amphoræ*. An *amphōra* or *quadrantal* contained 2 *urnæ*, 8 *congi*, 48 *sextarii*. The *sextarius* contained 12 *cyathi*. *Urna congi*, and *cyathus* were employed for liquid commodities. *Modius* (= $\frac{1}{3}$ *amphora* or *quadrantal*) was used especially in corn measure ; 6 *modii* made a *medimnus*.

§ 6. *Employments of Slaves.*⁴

317. In the later times of the Republic the number of slaves was very great, both in the houses of the rich, and on their country estates (*latifundia*) which were entirely cultivated by bondsmen. They were divided into the *familia rustica*, who laboured on the farm, and *urbana*, who waited on their master in the city, and attended him into the country for the same purpose. They were either purchased, or *vernæ*, the offspring of *contubernium* between slaves in the house of the master, and were divided into *decuriæ*. They were named after their employments. 318. In the *familia urbana*, the most important offices were those of the *dispensatores*, stewards and accountants ; *cellarii* or *promi*, superintendents of all the *penaria* and *vinaria* ; *atrienses*,⁵ *cubicularii*, *ostiarii* or *janitores*, managers of

⁴ The social condition of the slaves has been already described ; we are here speaking merely of their distribution and employments.

⁵ The *atrienses* of course superintended the *atrium*, with the *imagines* and *supellex*, the *cubicularii*, the sitting and sleeping apartments, the *janitores* and *ostiarii* were the *porters*. The *lecticarii* were preceded by *anteambulones* to clear the way.

particular parts of the house; *lecticarii*, litter-bearers, *nomenclatores*, persons whose business it was, in the time of the Republic, to acquaint candidates (*in prensando*) with the names of the citizens (that they might salute them properly; they also made the guests acquainted with the names and merits of the dishes that were served); *pedissæqui*, running footmen; *tabellarii*, letter-carriers; besides the table slaves, such as *coqui*, *pistores*, *prægustatores*, *pincernæ* (cup-bearers), *triclinarii*, *a cyatho vel potione*; and those employed at the toilet and in attendance on the master's person, such as *vestiarii*, *ab ornamentis*, *tonsores*, *balneatores*, *medici*, *chirurgi*,⁶ *servi literati*, such as *librarii* or *scribæ*, transcribers; *notarii*, short-hand writers; *anagnostæ* or *lectores*, readers; *ab epistolis* (private secretary), *a bibliothecâ*; musical slaves, such as *symphonarii*, &c. In the *familia rustica*, the most important were the *procuratores*, stewards; *villici*, bailiffs; *aratores*, *venatores*, *bubulci*; together with inspectors of gardens and gardeners, *topiarii*,⁷ *vinitores*, *olitores*,⁸ &c.

§ 7. Employments—Games.

319. The rich and distinguished Romans received morning visits from their friends and clients. About the third hour business commenced in the Forum, the courts of law, and the Senate (*exercet raucos tertia caudidos*, Mart.). After the conclusion, they passed the time partly at meals, and partly in walking and bodily exercises, which were shared by elderly men and per-

⁶ The art of medicine was not known at Rome until a late period, and was practised as a profession almost exclusively by foreigners.

⁷ *Topia* n. pl. (sc. *opera*) or *topiaria*, (sc. *ars*: from *τόπος*, place) denote ornamental gardening, e. g. the training of ivy, acanthus, &c., the attending to arbours and covered walks, and the cutting of trees (often into fanciful shapes).

⁸ Add the *magistri operum*, or overseers; the *ergastularius* who attended to the slaves in the *ergastulum*; *scriniarii*, *capsarii*, and a great many more. The *servi ordinarii* were those appointed to regular offices with *vicarii* under them; the *vulgares* were such as had no definite office, or, perhaps, all who pursued some handicraft, art, or scientific occupation. *Becker*.

sons of distinction. A favourite game was a sort of tennis, played either with the *pila*, a small ball, or the *follis*, which was large but very light. They had also various games of chance that were played on boards, e. g. *alea*, (*dice*; played with) *tali*, (4-sided dice, the two other surfaces being rounded; or with) *tesseræ*, (6-sided dice, marked as with *us*. 320. The *tali* were marked 1, 6 (opposite); 3, 4 (also, of course, opposite). The best throw was) *venus*, (when the 4 dice (for 4 were used, thrown from a *frūtillus*, dice-box of box, horn, or ivory: also *pyrgus*, *turricula*, or *phimus*) all presented different numbers: the worst was) *canis*, (when all presented the *canis* or *ace*; *six* was *senio*. With the *tesseræ* the number of *pips* usually determined the victory. The dice-board was *alveus*, *alveolus*, or *abācus*. The game with *tesseræ* was always for money). *Ludus calculorum* (or *latrunculorum*, was nearly our chess, (the *men*, *calculi*, *latrunculi*, *mihites*, &c.) mostly of glass.) *Ludus duodēcim scriptorum* (was more nearly backgammon, played with *men* moving on lines, *scripta*). 321. Before supper (*cæna*), usually about the eighth hour, it was their practice to take a bath.—The carriage universally employed for journeys was the *lectīca*, a sort of litter, palanquin, or sedan, borne by slaves (*lecticarii*). It does not seem to have been known in the days of Plautus; but was very common in Cicero's time, and at a later period was used in the city, as well as for journeys into the country. Carriages were seldom seen in town. On certain occasions women were allowed to use them (Liv. 5, 21); but this privilege was restricted about the time of the second Punic war, by the Oppian law, which was afterwards repealed. 322. For journeys, a three-wheeled carriage was employed, such as the *cisum*, *essēdum*, *carpentum* (a covered carriage for the city), or a four-wheeled one, like the *rheda*, a heavier travelling coach. The beasts of draught, which were fastened to a yoke attached to the pole, were either horses or mules. On a journey travellers generally enjoyed the hospitality of friends and connexions,

whilst ambassadors (*legati*) were entertained at the expense of the state (the burden therefore of their support fell, in later times, on the provincials. A *legatio libera* was an abuse, giving to a Roman noble, who wished to travel, the privileges and pecuniary advantages of an ambassador, without his *duties*): the accommodations to be found at inns (*cauponæ*; *tabernæ deversoriæ*) seem in consequence to have been very indifferent.

Buildings and Baths.

323. After the second Punic war, the general taste for display, which had been steadily increasing, began to show itself in the arrangements of their houses, and towards the end of the Republic, had reached an enormous height. The houses in the city, and on their estates, were built in a style of great elegance, and contained a number of handsome rooms, ornamented with noble pillars of marble, either white like the Parian, Pentelic, and Hymettian; or variegated like that of Numidia, Phrygia, and Laconia; pictures, statues, expensive carpets, and exquisite furniture, such as tables of costly wood (*citrus*), vessels of silver, or Corinthian brass, vases, candelabra, &c. The villas had their baths, extensive fish-ponds (*piscinæ*), and gardens laid out with great taste and skill. 324. Of the essential parts belonging to a Roman house,⁹ we may mention the *vestibulum*, a court enclosed by the principal building, and the two wings which abutted on the road or street; *ostium* or *janua*, the door or entrance in the middle of the house, with its *limen inferum* and *superum*; the *postes*, *fores* and *valvæ*, which were closed by means of a bar (*sera*, *repagulum*, *obex*.) The gate was guarded by a slave termed *janitor* or *ostiarius*. Some writers suppose the *atrium*

⁹ There is a great difference of opinion respecting the arrangement of Roman houses. The small buildings which have been disinterred at Herculaneum and Pompeii, cannot safely be taken as specimens of the architecture employed in the large mansions at Rome.

to have been the same as the *cavum ædium*, or inner court; but it was probably the largest covered room in the house, and that which stood in front nearest to the entrance. 325. In it were placed the *lectus genialis*, the *imagines*, and altar of the *Penates*. The *cavum ædium*, or *cavædium* was the inner court. In the middle of it was an uncovered space (*impluvium*) surrounded by a covered colonnade. In the centre of the *impluvium* was a cistern. *Peristylum*: adjoining the *cavum ædium*, but further back, was another (and larger) open space surrounded by columns, and ornamented with shrubs and flowers. The other apartments and bed-rooms were termed *cubicula*. The *triclinia* were dining-rooms, *æci*, larger halls; *exedrae*, reception-rooms, which were uncovered, according to some authorities, like the *exedrae* in the gymnasia, that is, semicircular terminations of a portico, furnished with seats; *cænacula*, rooms on the second story. 326. The floor in ancient times was composed of clay beaten hard, but at an early period this was exchanged for a pavement of stone, *pavimentum sectile*, consisting of small pieces of marble of various colours, or of *terra cotta* (*opus testaceum*), arranged in squares or polygons. Mosaic work of marble or glass was employed (*opus* or *embléma tessellatum*, *vermiculatum*; *opus musivum*). The walls were ornamented with tablets of marble or pictures. Great expense and skill were also lavished on the ceiling (*lacunaria*, *lacunaria*). 327. The openings made for light in the walls (*fenestræ*), which were closed, when necessary, with wooden shutters, were furnished in the time of the Emperors with plates of transparent stone (*lapis specularis*, mica, talc), and glass. Various plans were adopted for warming the apartments, without the employment of what, properly speaking, might be denominated stoves. The *cubicula* and *triclinia* for winter occupation were on the sunny side of the house; pans of charcoal were also used, and latterly small closets adjoining the apartments were warmed by means of *hypocausta*, and discharged their heat through an opening into the sitting rooms.

For lighting they used in ancient times torches of tallow or wax (*candēlæ sebaceæ* and *cereæ*). At a later period lamps (*lucernæ*) were more generally used, of which they had several patterns both in *terra cotta* and bronze. They were either suspended by chains from the ceiling, or supported on candelabra. 328. Our knowledge of their baths is derived from the remains of those built by Titus, Caracalla, and Diocletian at Rome, and from the baths discovered at Pompeii. The principal parts of the *thermæ* were the *apodyterium*, or undressing room; *frigidarium*, the cold bath; *tepidarium*, a tepid bath, or perhaps only a heated chamber; *caldarium*, the warm bath, which was warmed by a heating apparatus (*hypocausta*). (A Roman was attended to the bath by a slave, who carried *oil*, with which the person was anointed both before and after bathing; *strigiles*, or scrapers, for removing the oil and all impurities of the skin; and *lintea*, towels.)

§ 9. Dress.

329. Their dress consisted of a (woollen) *tunica*, or body-coat (girded under the breast): it was scanty and generally without sleeves, and reached nearly to the knees. A long tunic with sleeves was considered a sign of vanity and effeminacy (Cic. Orat. in Cat. 2, 10.). The Senators wore a *tunica latyclavia*, with a broad (purple) stripe, the Knights one with a narrow stripe termed *tunica angustyclavia*. On the occasion of triumphs, a *tunica palmata* was worn (so called from the *palm-leaves* that were worked upon it, as emblems of victory.) Under the tunic they generally wore a dress called *tunica interior* (*subūcula* especially in male attire) and above it the *toga*, or national dress of the Roman citizen in time of peace; a gown or mantle thrown round the body so as to cover the left arm, and leave the right partly exposed, a *sinus*, or fold, being formed on the breast on the side of the covered arm. The toga was white, *alba, pura*; that of candidates, *candida*. Accused persons wore a *toga*

sordida. Virgins and boys were dressed in a *toga prætexta* (of Etruscan origin, Liv. 1, 8.), with a purple border (*limbus*) like that worn by the superior magistrates. In triumphs the victorious general wore a *toga picta* (an Etruscan purple robe, embroidered with gold, over a *tunica palmata*). The usual military cloak was termed *sagum*; the foul-weather or travelling mantle, *pænula*. (It was closed, having only a hole for the neck; hence it was *drawn on*, and covered the arms, as well as the body.) 330. In the time of the Emperors many persons, instead of a toga, wore a cloak called *lacerna*, which was sometimes provided with a *cucullus* or hood. The coverings of their feet were *soleæ*, sandals fastened with thongs, and generally used in the house, and *calcei*, shoes (covering the whole foot, or the greater part of it), worn abroad with the toga. The head was bare, except in bad weather, or on a journey. Rings were universally worn as an ornament; those of the Senators and Knights were of gold. Latterly they were often set with stones (*gemmæ*), in which figures were engraved. The ancient Romans allowed the hair and beard to grow; but about the year B. C. 300, the Greek fashion was introduced of trimming the beard,¹ and anointing, frizzing, and arranging the hair. 331. To female attire belonged the *stola*, a long *tunica* with sleeves, over which was worn the *palla*, a garment corresponding to the toga of the other sex.—Latterly enormous sums were expended on dress; painting, and all sorts of artificial embellishments were generally employed.—The most ancient dresses were of woollen cloth; linen not having been generally introduced until the later times of the Republic (*carbāsus*, *byssus*, *sinclon*). In the days of the Empire the wealthier citizens also wore robes composed, either half or entirely, of silk (*sericæ*, *bombycinæ vestes*.)

¹ This was done either at home by slaves, or in the *tonstrinæ*, where also the hair was cut and the nails pared and cleaned.

§ 10. *Meals.*

332. Their meals also were at first exceedingly simple,² but latterly, especially after the wars in Asia, luxury in this respect became general; and the government strove ineffectually to restrain, by a succession of sumptuary laws, the costliness of their banquets, for which the whole known world was rifled of its most exquisite productions. Wine, whether Italian,³ as Massic, Falernian, Cæcuban, or Greek, as Chian and Lesbian, was but rarely drunk in ancient times;—afterwards, it came into general use; but was usually mingled with water and (sometimes) cooled with snow. Another favourite drink was *mulsum* (οἶνόμελι), a sort of mead or honey-wine. 333. Their first meal was the *jentaculum*. The *prandium* was a light repast eaten about noon: the *cæna* was introduced, in summer about the ninth hour; in winter, somewhat earlier. It consisted of the first course (*gustatio* or *promulsis*); the principal course (*caput cænæ*, consisting of several *fercula*); and the desert (*mensæ secundæ*, *bellaria*). They reclined, during their meals, on couches (*lecti*), generally three (*summus*, *medius*, *imus*), at each table. The couches were furnished with cushions (*tori*), and on festive occasions, frequently covered with beautiful tapestry (*stragulæ vestes*). Each couch accommodated three guests. Drinking bouts (*commissationes*) were often protracted to a late hour, and latterly were managed on the Grecian plan. A president was chosen, named *magister bibendi* or *rex convivii*. The guests were crowned with flowers and leaves of myrtle. During the feast they were entertained with music and

² A very common food in ancient times seems to have been *puls*, a sort of pudding or dough.

³ All the best Italian wines were *Campanian*. The *Cæcūbum*, grown near *Amyclæ*, held the first rank, till Augustus brought the *Setinian* into fashion. The *Falernian* stood next, the best quality (*Faustianum*) being grown near *Sinuessa*. The *Massic* was one that contested the third place with the *Albanum* and *Surrentinum*, as well as with the *Cālēnum* and *Fordanum*. The middling wines were *Trifolinum*, *Signinum*, *Nonmentanum*, &c.; the *Vaticanum* and *Veientanum* (*rubellum* from its colour) amongst the worst.

dancing, or, in the more refined circles, with readings by professional declaimers (*acroûma*).

§ 11. *Funerals.*

334. The Romans, like most other nations, had their peculiar ceremonies and usages in cases of death and at burials. Their anxiety for the performance of the funeral rites arose from their belief in a future state; and the duty was consequently considered one which the dead had a *right* to require at the hands of the living (*justa facere*). The nearest relations closed the eyes of the deceased, and called out his name. The preparations for the funeral were conducted by the *libitinarii*.⁴ The corpse was first washed and anointed, then clothed in its shroud (a *toga*; in the case of magistrates, the *prætecta*), and exposed to public view. In front of the house was placed a branch of cypress. To the more solemn funerals, especially if games formed a part of the celebration, the people were invited by a *præco*. The procession was opened by musicians and mourning women (*præflicæ*), who sang a dirge to the accompaniment of flutes; and was sometimes attended by *mimes*, one of whom represented the deceased. 335. The insignia of the dead were borne in front of the body, together with his *imagines*, which were preceded by persons dressed like the characters represented by them. The corpse was borne on a *lectica*; the procession being closed by persons dressed in mourning. At the forum a halt was made, and the nearest relation, ascending the rostrum, delivered a *laudatio*. According to Livy 5, 50, even women, after the Gallic war, obtained the right of a *laudatio*, although the privilege seems to have been rarely claimed, and not until a late period of the Republic. As a general rule, no corpse could be interred within the city. Burying (*sepelire*, *humare*), as well as burning (*cremare*), were practised. Persons of conse-

⁴ Their name was derived from the temple of *Venus libitina*, where they kept all the articles required at funerals.

quence had magnificent private burial-places (*sepulcra*) on their estates, or by the sides of the principal highways. Under the Emperors it was customary to build large mausolæa, for instance, that raised by Augustus, and the *moles Hadriani*, on the banks of the Tiber. 336. For burning the dead, a funeral pile (*pyra, rogos*) was erected; on which they laid the corpse in its clothes, with incense and other sweet-smelling spices. The burnt bones and ashes were collected (*ossa legere*) in urns, and placed in a monument. Funerals were sometimes accompanied with burial feasts, games, and combats of gladiators. After the funeral the *novendiale sacrificium* took place. Cemeteries belonged to the *res religiosæ*, and were under the superintendence of the *Pontifex maximus*. The violation of them was severely punished. Deification (*apotheosis*) was decreed (after the time of Julius Cæsar) to the Emperors, by a resolution of the Senate. The person deified was dignified with the title of *divus*, and the honour completed by the erection of temples, the establishment of orders of priesthood, and solemnities.

HISTORY

OF

ROMAN LITERATURE.

INTRODUCTION.

§ 1. *Development of Roman Literature.*

337. GREECE may be viewed in some sort as the inventress of the sciences; for the elements borrowed from foreign nations, insignificant enough in themselves, were made her own by the labour which she expended in bringing **them** to perfection. Under her fostering care the sciences ripened into maturity, attained by degrees their highest elevation, and then sank back, slowly and by almost imperceptible steps, into their original condition. But with the Romans it was far otherwise. They were a practical people, possessing considerable strength and firmness of character, but by no means pre-eminently distinguished by talent for profound scientific investigation, or by an excitable imagination. For a long time their attention was directed to objects very different from the acquisition of scientific knowledge; and we find, in consequence, the slight vestiges of poetical and historic interest overlaid and well-nigh obliterated by a mass of political and military efforts. 338. It was at an advanced period of their history, when the literature of Greece had already begun to decline, that the Romans first began to recognize Grecian influence in the development of their taste

for scientific instruction. Notwithstanding their decided national character, their respect for the practices of their ancestors, and the slight esteem with which they regarded Greece as a nation, the better portion of the people became willing pupils, and pressed eagerly forward on the road which had been already opened and levelled by the Greeks. A certain degree of excellence was in consequence speedily attained, and its effects manifested in their successful cultivation of the arts, and the zeal with which they devoted themselves to grammatical, historical, and critical investigation: but on the other hand, the spirit of scientific research never became either so popular or so original and independent, as among the Greeks, simply contenting itself with walking in their footsteps, without striking out any essentially new forms. 339. In some directions their progress was unsatisfactory, and even in their best writers we often miss the freshness and originality by which the Greeks were always distinguished. Only a few branches, those, for instance, which like jurisprudence and oratory were of a practical character, or which tended, like history, to the gratification of their national feeling, developed themselves in a more independent form. The leading features of the Roman nationality are, respect for the moral and religious severity of their forefathers, intelligence and practical wisdom, the idea of a commonwealth, and the proud consciousness of universal sovereignty and the supremacy of Rome; characteristics of which their literature also bears the impress.

§ 2. *The Latin Language.*

340. The Latin language must be considered as a sister tongue of the Greek, varied by its connexion with other Italian dialects, such as the Oscan. At first it was rough and subject to many alterations; but after a time it began to feel the influence of the Grecian language, not only as it was spoken in the neighbouring colonies of Magna Græcia, but as it was imported

in greater purity from the mother country itself, and was moulded into form by the labours, first of poets and orators, and subsequently of historians and grammarians. 341. Towards the end of the Republic, and especially at the commencement of the Imperial era, it attained its highest degree of purity. At that period it had spread itself over the whole of Italy, was gradually planted in the provinces, and mingling with the dialects already spoken, laid the foundation of fresh languages, such as the Italian, French, Spanish, Portuguese, English, Wallachian, Romaic, &c.

History of Roman Literature.

§ 3. *First period—from the Building of Rome to the year B. C. 240.*

342. Under this head we must consider, not so much literature strictly so called, as its earliest rude elements, which prepared the way for the reception of foreign literature. These first germs are discoverable in historical and statistical outlines, and in a few vestiges of poetry, as well as in their acquaintance with the Greek alphabet. To their poetry belong the hymns of the Salian priests (*axamenta*), which were retained until a very late period, but could only be understood by the assistance of a glossary; the lays of the Ambarvalian brethren, the old convivial songs, mentioned by Cicero, *Tusc.* 1, 2; and the *versus Fescennini*, or verses sung alternately at the rural merry-makings, and often full of biting satire (of Etruscan origin); besides several rough productions of the dramatic art. The metre of these songs was the Saturnian. 343. To the germs of their prose literature belong the *Annales Maximi*, or short annual catalogue of remarkable public events, prepared by the *Pontifex maximus*. This practice continued for a long time; but most of the older records were lost at the Gallic invasion. We

find also the *Commentarii Pontificum*, or documents prescribing the religious ceremonies; the *Fasti* or *libri magistratum*, accounts of magisterial personages, e. g. the *libri lintei*, discovered, according to Livy, in the temple of *Juno Moneta*: the *Laudationes*, or funeral orations, which were extremely ancient; and lastly, the written laws, comprehending the *Leges Regiæ*, as well as those of the Twelve Tables. Fragments of both these codes are still extant.

§ 1. *Second period—from the year B. C. 240, to the time of Cicero.*

344. Whilst the Roman commonwealth advanced not only in power and riches, but in the order and stability of its political institutions, the increasing intercourse with Greece, and especially the residence of learned Greeks in their city,¹ gradually opened the eyes of individuals to the importance of science even in reference to practical life. Statesmen, like the younger Scipio and Lælius, conversed familiarly with Greek men of letters (POLYBIUS, PANÆTIUS); and many persons of distinction began, if not to study, at least to appreciate and protect the sciences. The Greeks, it is true, had many facilities unknown to the grave and business-like Romans; but notwithstanding this disadvantage, Grecian literature continued to make its way; and even Cato, in extreme old age, acquired the language. 345. Men now began to cultivate oratory,² the most comprehensive of all sciences in a free state, and that which prepares the way for the most important and honourable employments. At first this was

¹ Among these we may especially notice the ambassadors, sent by the Athenians to Rome in the year B. C. 155, viz. Diogenes the Stoic, Critolaus the Peripatetic, and Carneades the Academic; three of the most renowned philosophers of that period. They were charged with a message from their government, and were listened to with curiosity, but were compelled to quit the city at the instigation of Cato.

² The most celebrated orators were, Cato Censorius, Ser. Sulpicius Galba, C. Papirius Carbo, the Gracchi, particularly the Younger, M. Antonius, and L. Licinius Crassus.

done without any theoretic system; but at a later period, the study was carried on under the direction of Greek rhetoricians, who were looked on with an evil eye at first, and frequently banished from Rome (e. g. in the year B. C. 161). The effect of this study pervaded the whole circle of literature, in which we discover a rhetorical tone, which it is impossible to mistake. There were also at Rome professors of philosophy,³ and of grammatical studies, such as language, literary history, the art of criticism, and its auxiliaries.⁴

§ 5. *The subject continued.*

346. The works which this period produced, were chiefly of a poetical (viz. dramatic and epic) or historical character. The Romans possessed a sort of dramatic poetry of Italian origin, which prepared the way for the introduction of the Grecian drama. To this class belong the Fescennine verses already mentioned, the Mimes, the *ludi Osci*, and the *fabulæ Atellanæ*,⁵ a popular drama of a comic character performed by free youths. The last named description of verses is mentioned in the time of the first Emperors, but not a fragment of Atellan verse has reached our days. We read also of *Satiræ* or improvised farces, concerning which very little is known. A more important acquisition to literature was the Grecian drama (tragedies and comedies written on the model of the newer Attic comedy) the introduction of which was closely connected at Rome with religious ceremonies and games. 347. Although at a later period dramatic poetry strove hard to awaken the national interests, by the adoption of Roman subjects,⁶ it never took a very firm root in the affections of the people, and latterly disappeared in a great measure, or was driven from the field by exhi-

³ Among the philosophers may be classed Scipio the Younger, Lælius Sapiens, P. Rutilius Rufus, and others.

⁴ Crates Mallotes, who came to Rome in the year B. C. 168, was the first who created a taste for these studies.

⁵ Q. Novius is mentioned as a writer of Atellan Dramas.

⁶ *Fabulæ prætextatæ* and *togatæ* in opposition to *palliatæ*.

bitions of gladiators, and combats of wild beasts, and such like amusements. Epic poetry also began to choose national subjects, employing at first the Saturnian, and subsequently the Hexameter measure. On the other hand, satire developed itself after a more independent fashion; whilst history, taking for its basis the annual notices of events, made some advances at this period, confining itself, however, to the annalist form, without even aiming at perfection of style.

§ 6. *Poets.*

348. *Livius Andronicus*, an emancipated slave of Grecian descent, who first introduced dramatic representations in the year, B. C. 240; wrote tragedies and comedies, and is said to have translated the *Odyssey* into Saturnian verse.

Cn. Nævius, died B. C. 204. He wrote tragedies and comedies, with some bitter satires after the model of the older Attic comedy, for which he was thrown into prison. He composed also a poem of the first Punic war.

Q. Ennius, B. C. 239—169. A Roman citizen, highly esteemed by the elder Scipio. He wrote tragedies, comedies, *annales*, a long epic poem on the history of Rome, and various other pieces, principally translations. He was the first who employed the Hexameter, instead of the Saturnian measure.

Cæcilius Statius, died B. C. 168. A comic writer.

M. Pacuvius, born B. C. 220. A tragic author.

L. Attius, born B. C. 170, is said to have chosen Roman subjects for his tragedies, and also to have written *Didascalica*, a work on the history of dramatic art.

349. *M. Attius Plautus*, in the time of the second Punic war; died B. C. 184. Of the twenty-one pieces pronounced by Varro to be genuine, we possess twenty, copied freely from the Greek drama. The text is very corrupt, and ignorance of the metre has caused great confusion.

P. Terentius Afer, born about B. c. 194; died about B. c. 159; an emancipated slave. He lived on friendly terms with Scipio Africanus Minor, and Lælius, who, however, were considerably his juniors. We have six of his comedies, adaptations of Greek pieces written by Menander and Apollodōrus.

L. Afranius, younger than Terence. He wrote *Comædiæ togatæ* (note 6 on p. 159).

C. Lucilius, B. c. 148—103; a friend of Scipio and Lælius. He wrote satires, which were highly esteemed by the ancients. After his time nothing of this sort, worthy of mention, appears to have been written until the days of Horace.

§ 7. *Prose writers.*

350. The Roman prose writers are, for the most part, annalists. At a very early period, the interest of the Romans was awakened by legends and notices of events, which were collected and arranged by writers, who were generally statesmen; whilst the poets were private individuals, often of humble origin, and almost universally foreigners.

Q. Fabius Pictor, in the time of the second Punic war. He wrote annals, extending from the building of Rome to his own times.

M. Porcius Cato Censorius, B. c. 234—149. A model of the old stern conservative national character. His works were: *Origines*, the ancient history of Italy, and an account of the events which occurred at Rome, from the building of the city to the year B. c. 151: he also wrote a Treatise on Agriculture, the most ancient prose work which we possess, although in a very mutilated condition, besides orations and other compositions.

351. As annalists we may also mention:—

L. Calpurnius Piso Frugi, Consul B. c. 133

C. Fannius, son-in-law of Lælius the Wise.

L. Cælius Antipater, in the time of the Gracchi. He seems to have employed more art in the composi-

tion of historical works than had previously been displayed.

These, and many other annalists who are specially mentioned by Livy and Dionysius, in conjunction with a few jurists (e. g. *Sex. Ælius Pætus*, Consul in the year B. C. 198, and some members of the Mucian family), compose the class of prose writers during this period. All, however, have been lost, except Cato's *Treatise on Agriculture*; nor do we possess any thing of the poets beyond fragments, if we except the comedies of Plautus and Terence.

§ 8. *Third period.—From the time of Cicero to the death of Augustus.*

352. This period is the golden age of science. Whilst the prejudices of the majority against scientific research, especially at its first introduction, were not yet entirely rooted out, and men still ridiculed the learned pedantry of the Greeks, and their want of practical knowledge; the interest felt by the educated classes in Grecian literature, which continued to exercise an important influence over the works of Roman writers, went on steadily increasing. Even in other parts of Italy, a taste for the sciences became more generally diffused, although all the most efficient literary efforts were concentrated at Rome. 353. Learning became more and more a necessary ingredient in polished life; and many, amidst the whirl and confusion attendant on the social and civil wars, and the decline of liberty, endeavoured to find, in literary occupation, solace and forgetfulness of their present misery. Education was promoted by the establishment of schools, and public as well as private libraries. In the first half of this period (the Ciceronian), prose literature particularly flourished; and in the last, poetry, under the auspices of Augustus, and other powerful patrons of science.⁷

⁷ Such as Mæcenas and Asinius Pollio, who are both mentioned as authors.

§ 9. *The subject continued.*

354. During this period, dramatic poetry partially disappeared;⁸ but the representation of Mimes (which were sketches of Roman life, garnished with numberless apophthegms) still continued. Pantomimes also came into fashion. Epic poetry, especially, flourished under Augustus, and derived its subjects partly from contemporary events and partly from Grecian legends. The didactic epos was also introduced, borrowed immediately from the Alexandrians. 355. Lyric poetry, although it never intertwined itself with the daily occurrences of life so naturally and appropriately as in Greece, was presented, nevertheless, in various forms, such as odes and songs, elegies (i. e. poems, in which the principal element is a tranquil or melancholy feeling, most frequently of an amorous character), epistles, and satires (i. e. poems full of reflections on human life, and the pursuits of mankind), bucolic poems (delineations of pastoral life), fables, and epigrams. In prose literature, history, abandoning its dry annalistic character, gradually assumed a more complete and beautiful form, in which the rhetorical element is especially discernible. Grammatical and antiquarian studies also flourished through the interest which every Roman felt in the history of by-gone days, and the institutions of his ancestors. 356. Eloquence was at its height in the days of Cicero; but with the decline of freedom it lost its political importance, and consequently its peculiar character; but still continued, especially in the form of legal pleadings, declamations, and rhetorical displays, to attract considerable notice. Its theory was studied and discussed in treatises: but, in the mean time, it began gradually to lose its strength, nature, and simplicity. From the time of Cicero, philosophical subjects began to be discussed in works expressly composed for that purpose,

⁸ Mention, however, is made in the Augustine age, of the *Thyeste*, as a celebrated tragedy of L. Varius, who distinguished himself also as an epic poet.

but without any independent speculations, or profound inquiries into the system of Greek philosophy; the attention of the writers of that class being chiefly directed to political subjects and oratory. The writings of the Stoic, Epicurean, and Academic philosophy were especially read. 357. Few of the other sciences attained any importance in literature as independent studies. Mathematics and natural philosophy were, it is true, cultivated by many, without the publication of any treatises exclusively appropriated to those subjects; for instance, we find mathematical knowledge practically applied in the work of Vitruvius on Architecture. 358. Among practical experiments, we may notice the regulation of the Roman mode of reckoning time by Sosigenes, during the administration of Julius Cæsar, and the general survey and statistical account of the Roman Empire, undertaken in the reign of Augustus at the instance of Agrippa. Legal science was also sedulously cultivated. In the reign of Augustus, there arose two celebrated Jurists (Q. Antistius Labeo, and C. Atejus Capito), each of whom exercised considerable influence over the science of jurisprudence, and was the founder of a distinct legal school.

§ 10. Poets.

359. *T. Lucretius Carus* (a true poet), B. C. 95—52, wrote six books, *de Rerum Naturâ*, in hexameter verse; an explanation and defence of the Epicurean doctrine. His language has a character of antiquity.

P. Virgilius Maro, B. C. 70—19, was highly esteemed by Augustus and Mæcenæ. His *Æneid*, an epic poem in twelve books, was published after the death of the poet by Varius and Tucca, but never completed; *Georgica*, four books on agricultural subjects; bucolic poems (*Eclögæ*), in imitation of the Idyls of Theocritus. Some smaller poems have also been attributed to him. He was a learned and correct poet, especially distinguished by the majestic gravity of his style, and the harmony of his language.

360. *Q. Horatius Flaccus*, B. C. 65—8, a favourite of Augustus and Mæcenas. Four books of odes, *Carmen Seculare*, and one book of Epodes, in a variety of lyric measures; two books of Satires in hexameter verse; Epistles in two books, the last of which contains the *Epistola ad Pisōnes*, or *Ars Poetica*. He is remarkable for the nature, truth, and taste of his descriptions, and his careful study of Greek models (e. g. of *ALCÆUS*, *SAPPHO*, *ARCHILOCHUS*).

P. Ovidius Naso, born B. C. 43, died at Tomi, on the shores of the Black Sea, A. D. 17, having been banished to that remote spot by Augustus. *Metamorphoses*, in fifteen books, a series of tales out of the Grecian Mythology, ending in transformations: *Ars Amatoria*, three books, in elegiac verse, portraying the intrigues of love: *Fasti*, six books in elegiac verse, a poetical calendar of festivals for the first six months of the Roman year, important, in an antiquarian point of view, with some minor didactic poems. He wrote also elegiac poems; viz., *Amores*, *libri Tristium* and *Epistolæ ex Ponto*, the last two during his exile, and *Heroides*, or letters from the heroines of the mythic age to their lovers. A tragedy, the *Medea*, is lost. He is distinguished by fancy, wit, and great facility of language and versification; but his compositions are licentious and without deep feeling.

361. *C. Valerius Catullus*, born B. C. 86; acquainted with Cicero, Cornelius Nepos, and other distinguished men. One hundred and sixteen poems, on various subjects, and in different metres; the most important are, *Atys* and *Epithalamium Pelei et Thetidos*. His other poems are chiefly of an epigrammatic or elegiac character, e. g. the *Coma Berenices*, an imitation of Callimachus. He is remarkable for feeling and naïveté, with a good deal of bitter irony and satire.

Albius Tibullus, born about B. C. 64 or 54; died B. C. 18 or 19. Under his name we have a collection of Elegies, in four books, some of which are pronounced not to be his by the critics. His works are distinguished by simplicity and nature.

S. Aurelius Propertius, nearly a contemporary with Ovid, but younger. A series of elegies in four books. Remarkable for learning and force of expression, but with less simplicity than Tibullus.

§ 11. *Prose writers.*

362. *M. Terentius Varro*, born B. C. 116, died in extreme old age. A learned writer, who composed several works on various subjects, particularly on antiquities, and also some poems (*Satiræ Menippeæ*). We possess nothing of his except a fragment *de Re Rusticâ*, and four very corrupt books of a grammatical work *de Linguâ Latinâ*, in twenty-four books.

M. Tullius Cicero, born B. C. 106. His youth, during which he first appeared as an orator, occurred in the time of the disturbances under Marius and Sulla. In consequence of these tumults he spent some time in Greece, and after Sulla's death returned to Rome, and having passed through all the intermediate offices, was elected Consul B. C. 63. His enemies, whose designs were obstructed by his republican views, and the esteem in which he was held, procured his banishment. After his recall he joined the party of Pompey; but returned to Rome after the battle of Pharsalia (*Pharsalus*), was pardoned by Cæsar, and devoted the rest of his life to literary pursuits, without taking any part in political questions. After the assassination of Cæsar he opposed Antony, and was murdered at the instigation of the Triumviri in the year B. C. 43. 363. Besides translations and poems of inferior merit (e. g. on Marius, on his own Consulship, the translation of Aratus's *Phænomena*, of which we possess a considerable fragment), his most important writings are on oratorica, rhetorical, philosophical, and epistolary subjects. Of his Orations we possess fifty-six, some of which, however, are of doubtful genuineness, and others have reached us in a very imperfect state. Some fragments of the lost Orations have been recently discovered. His rhetorical writings are, *Rhetorica* or *de Inventione*,

a youthful production in two books; *de Oratore*, three books; *Brutus* or *de Claris Oratoribus*; *Orator ad Brutum*, or *de Optimo Genere Dicendi*; *Topica*, or a treatise on evidence; *de Partitione Oratoriâ*, an essay on arrangement; *de Optimo Genere Oratorum*, a preface to a translation of Æschines and Demosthenes, which has been lost. 364. His philosophic works are, *de Republicâ*, or the best form of government, six books; the conclusion, *Somnium Scipionis*, has been preserved to us by Macrobius (all the rest was supposed to be lost, but several important fragments have been discovered by Majo, in a palimpsest); *de Legibus*, three books, originally more; *Academica*, published originally in two books, and afterwards divided by Cicero into four (of the later edition, we possess a part of the first book, and of the earlier, a fragment of the second); *de Finibus Bonorum et Malorum*, five books, containing the doctrines of the most distinguished philosophers respecting the chief good: *Disputationes Tusculanæ*, five books, on the most important moral questions; *de Naturâ Deorum*, three books; *de Divinatione*, two books; *de Fato*, a fragment; *Cato Major, sive de Senectute*; *Lælius, sive de Amicitia*; *Paradoxa Stoicorum*. Some other philosophical works are lost. 365. We have three collections of his Letters; viz., *Epistolæ ad Diversos*, sixteen books; *Epistolæ ad T. Pomponium Atticum*, sixteen books; and *Epistolæ ad Quintum fratrem*, three books. The Epistles to Brutus are, undoubtedly, spurious.* Cicero was eminently distinguished as an orator, particularly by the finished character of his style. As a philosopher, he is neither a deep nor an original thinker. His study of the Greek philosophy, which he followed as an eclectic, was more extensive than profound. Most of his philosophical works were written in the last period of his life.

366. *C. Julius Cæsar*, B. C. 99-44. Of his numerous writings on various subjects (grammar, politics,

* The genuineness has been lately very ably defended by C. F. Hermann.

poetry, &c.) we possess only some historical works; viz., seven books, *Commentarii de Bello Gallico* (an eighth is added by another hand), and three books, *de Bello Civili*. The books, *de Bello Alexandrino*, *Africano*, and *Hispaniensi*, are not by Cæsar. His style is remarkable for good taste, ease, and simplicity.

Cornelius Nepos, contemporary with Cæsar. Most of his works are lost. We possess, however, his *Vitæ Excellentium Imperatorum*, a collection of short biographical sketches of twenty Grecian and two Carthaginian generals; *de Regibus*, a biography of Cato, and a more diffuse one of Atticus. Some critics have ascribed these works to Æmilius Probus, a writer in the time of Theodosius.

367. *C. Sallustius Crispus*, B. C. 86–36. *Catilina* and *Jugurtha*, with some fragments of his *Historiæ*. Some other works have been improperly attributed to him. He is distinguished by brevity, liveliness, and force; but his laborious imitation of the antique is not always natural.

T. Livius, born B. C. 59, died A. D. 18. His work comprised a history of Rome from its foundation to the death of Drusus, in the year A. D. 10, in one hundred and forty-two books, of which only thirty-five have reached us; viz. the first ten, and from the twenty-first to the forty-fifth, besides fragments, and short notices of contents (*Epitômæ*). He follows the annalists in his account of ancient, and Polybius in that of modern times. Correct and eloquent, but often without any profound critical or philosophical views.

368. *M. Vitruvius Pollio*, who constructed military engines in the reign of Augustus, and wrote ten books, *de Architecturâ*. His style exhibits very little command of language.

Two celebrated authors of the Augustan era, *Trogus Pompejus*, who wrote *Historiæ Philippicæ*, in forty-four books; and *Verrius Flaccus*, a grammarian, who published a grammatical antiquarian work, *de Verborum Significatione*, are known to us only through extracts made at a later period, the first by Justin, the

other by Festus. Another renowned grammarian of that period is *C. Julius Hyginus*, under whose name we have two works, *Fabularum Liber*, and *Poeticôn Astronomicôn Libri IV.*, which, however, are generally supposed to have been written at a much later period.

§ 12. *Fourth period—from the death of Augustus to the Antonines.*

369. This period exhibits to us the gradual decline of Roman literature under unfavourable circumstances, such as the entire destruction of liberty, and the despotism of barbarian princes. There still remained, it is true, a sort of literary vitality, which extended itself considerably in certain directions; libraries and schools were also founded by hundreds; but a perverted taste began gradually to prevail, displaying itself in a passion for the far-fetched, the artificial, and the over-drawn, and in ill-judged endeavours to conceal their intellectual poverty by the affectation of learning. Yet even in this age we discover many vestiges of better days. In poetry, for instance, the satirist found a mine of wealth in the vices and follies of his times. Prose literature was also particularly rich in historians. Oratory and its theory were still cultivated, but its political importance was for ever gone, and its rules were for the most part applied only to declamations. Philosophy also, especially that of the Stoics, and grammar found a host of professors.

§ 13. *Poets.*

370. *Phædrus*, in the time of Augustus and Tiberius. A collection of Fables, the genuineness of which has been disputed by some writers.

A. Persius Flaccus, born A. D. 34, six Satires.

D. Junius Juvenalis, born in the reign of Claudius. Sixteen of his Satires are extant, but the genuineness of the last is doubtful.

M. Valerius Martialis, born about A. D. 40, flourished

in the reigns of Titus and Domitian. A collection of Epigrammatical Poems, in fourteen books.

371. *M. Annæus Lucanus*, born A. D. 38, murdered in the reign of Nero, A. D. 65. Of his numerous poems we possess only his *chef d'œuvre*, *Pharsalia*, an epic poem, on the war between Pompey and Cæsar, brought down to the siege of Alexandria. The narrative is strictly historical, and the language rhetorical, but the versification is imperfect.

C. Silius Italicus, from A. D. 25 to 100. *Punica*, a composition of slender merit, in a poetical point of view.

C. Valerius Flaccus, in the reign of Vespasian, *Argonautica*.

P. Papinius Statius, born A. D. 61. Of his works we have the *Thebais*, a poem, on the contention between the sons of Œdipus; *Silvæ*, a collection of poems; and an unfinished poetical work styled, *Achilleis*.

C. Petronius, probably in the reign of Claudius or Nero. *Satiricôn*, a narrative describing an effeminate life.

§ 14. *Prose writers.*

372. *C. Velleijus Paterculus*, in the reign of Tiberius. *Historiæ Romanæ*, in two books. The greater part of the first is lost.

Valerius Maximus, flourished about the same time. *Factorum Dictorumque Memorabilium libri IX.*, a collection of remarkable passages and anecdotes.

C. Cornelius Tacitus, under Vespasian, Titus, Domitian, Nerva, and Trajan. His works are, *de Situ, Moribus Populisque Germaniæ*; a biography of his father-in-law, the renowned general Agricola; *Historiæ*, a history of the Emperors from Galba to the death of Domitian, of which we possess little more than four books; *Annales*, a history of Rome, from the death of Augustus to the death of Nero, sixteen books, also imperfect. It has been disputed whether the *Dialogus de Oratoribus* is his composition. His style is oratori-

cal, but expressive and nervous. His writings are distinguished by manly gravity and profound feeling.

373. *Q. Curtius Rufus* flourished, probably, in the reign of Vespasian.¹ Some writers assign him an earlier, and others a much later period. *De Rebus Gestis Alexandri Magni*, in ten books, of which the first two are wanting. His language is flowing, but he has none of the critical tact and accurate judgment of a true historian.

L. Annæus Florus, probably in the reign of Trajan *Epitōme de Rebus Gestis Romanorum*, four books.

C. Suetonius Tranquillus, under Domitian and Hadrian. Of his numerous writings we possess *Vitæ XII.* (i. e. of the first twelve) *Imperatorum*; *de Illustribus Grammaticis*; *de Claris Rhetoribus*. Some shorter separate biographies have also been attributed to him. Simple, correct, and worthy of credit.

374. *L. Annæus Seneca*, born shortly after the birth of our Lord, died A. D. 65, in the reign of Nero. Of his writings we possess a series of philosophical treatises; a collection of one hundred and twenty-four letters on philosophical subjects; seven books *Quæstionum Naturalium*, or physical essays. We have also ten tragedies bearing his name, which have been attributed, by some writers, to another Seneca, or to several authors; and a catalogue of lost writings, with some of doubtful genuineness, or which have been proved to be spurious. Seneca was a Stoic. His writings are distinguished by nervous eloquence, and a severe practical tendency, but his style is exceedingly rhetorical.

L. Junius Moderatus Columella, a contemporary of Seneca. *De Re Rusticâ*.

Pomponius Mela, in the reign of Claudius. *De Situ Orbis*, a geographical treatise in three books.

375. *M. Fabius Quintilianus*, born A. D. 42. *Institutio Oratoria*, twelve books. A collection of declamations is also ascribed to him by some writers. Distinguished by profound learning and taste.

¹ Buttmann.—Niebuhr places him in the reign of *Septimius Severus*.

C. Plinius Secundus Major, A. D. 23—79. Of his numerous works we possess only the *Historia Naturalis*, in thirty-seven books, a voluminous compilation from several works.

C. Plinius Cæcilius Secundus, nephew of the elder Pliny, born A. D. 62. Of his orations we have only the *Panegyricus* on Trajan. A collection of Letters in ten books. His language is flowing and lively, but the ideas are far-fetched.

A. Cornelius Celsus, in the reigns of Augustus and Tiberius. We have eight books on Medicine by this author; being properly one division of a larger work in an encyclopædic form.

§ 15. *Fifth Period—from the Antonines to the Fall of the Western Empire*, A. D. 476.

376. Literature now declined more perceptibly. The purity of the Latin language was lost; and the prevailing taste was for spiritless compilations, with an ostentatious display of learning. Among the poets the most remarkable are,—

Claudius Claudianus, under Theodosius the Great and his sons. Various poems, particularly epics, of which the subjects are taken from the events of his times.

D. Magnus Ausonius, born A. D. 309. Epigrammatic poems and Idylls, such as the *Mosella*.

Aurelius Prudentius Clemens, a Christian poet.

Of the other writers we may mention :

Justinus, under the Antonines. He abridged the work of *Trogus Pompejus*.

377. *Eutropius*, under Constantine and Valens. *Breviarium Historiæ Romanæ*, a short Roman history, written in a clear and simple style.

Sextus Rufus, in the reign of Valens. *Breviarium Rerum Gestarum Populi Romani*.

S. Aurelius Victor, under Julian, and *Ammianus Marcellinus*, under Valens and Valentinian, until the reign of Theodosius, have contributed notices for a

history of the Emperors. The first has also written some short biographical sketches.

Orosius, in the fifth century. *Historiarum Libra VII. adversus Paganos*, a history of human suffering and misery.

378. *Appulejus*, under the Antonines. Author of several works on oratorical and philosophical subjects, some of which have been lost. The most important of those which we possess is, *Metamorphoseôn, sive de Asino Aureo Libri XI.*, a narrative.

Censorinus, about the year A. D. 238, under Maximus and Gordian. *De Die Natali*, on the influence of the heavenly bodies on men.

A. Gellius, a celebrated grammarian, who lived in the time of the Antonines. *Noctes Atticæ*, twenty books; of which the eighth is wanting; a collection of *excerpta* of some value.

We have also as Grammarians, *Festus* (who abridged the work of Verrius Flaccus, *de Verborum Significatione*), and *Ælius Donatus*.

379. *Macrobius*, in the first half of the fifth century. A Commentary on the *Somnium Scipionis*; and *Saturnalia*, a work of the same sort as the *Noctes Atticæ* of *Gellius*.

As a Jurist we may notice *Gajus*, under the Antonines; *Libri Institutionum IV.*

There lived also during this period the Fathers of the Church, *Tertullianus*, *Arnobius*, *Lactantius*, *Ambrosius Hieronymus* (*Jerome*), *Augustinus*, &c.

§ 16. Sixth Period.

380. After the destruction of the Western Empire, learning rapidly declined, and even the language lost more and more of its ancient character. Literature dragged on a lingering existence, chiefly in encyclopædias and grammatical works. Among the writers of this period we may mention *Boethius*, A. D. 470—524. (Numerous works on philosophical and mathematical subjects, and commentaries on the writings of the an-

cient philosophers). Contemporarily with him flourished *Cassiodorus*, also in the reign of Theodoric. His principal work is a collection of Letters; *Variarum Libri XII.* of some historical value. About the same time lived the grammarian *Priscianus Cæsariensis*.²

² The saying of the Greeks, that the language of men is like their lives, is confirmed also by the history of Rome. The corruption of the Latin language was a necessary consequence of the altered form of government, and of the languor and indolence into which the nation sank. The cultivation of their mother-tongue had begun to be neglected in the early part of the empire, and the Greek became the language of all fashionable circles, when the education of children was conducted by Greek tutors and governesses. The vast number of slaves and foreigners, who came to Rome from all parts, contributed not a little towards this corruption; the old and powerful simplicity of the language disappeared, and the desire to speak and write in a striking and piquant manner produced that hollow pomp and tinkling of words which we meet with as early as the time of Nero.

In the reign of Augustus, Roman literature had reached its highest perfection, but its decline began even before his death; for the establishment of the monarchy put an end to all free public oratory, and eloquence was henceforth cultivated only in funeral orations or encomiums, and in the rhetorical schools. With the accession of Tiberius, the flourishing period of literature came to its close: the corruption of taste began; and the oppression of the ruler on the one hand, and the moral depravity of the people on the other, crushed all free development of intellectual life, which the establishment of libraries, and schools, and the appointment of salaried teachers, were unable to restore. But while intellectual activity sank at Rome, it became extended in the provinces, which thus began to participate in the literature of the capital; for booksellers are mentioned at Lyons, in Gaul, and they undoubtedly existed in all the great towns of the West. A depravation of taste, both in regard to purity of diction and to the manner of handling a subject, may be seen in the poems of Lucan, Valerius Flaccus, Silius Italicus, and Papinius Statius, whose epics are bombastic and learned, but devoid of the genuine spirit of poetry. The character of the age afforded ample material for bitter satire, and produced a Persius, Juvenal, Petronius, and Martial, whose works, however, in point of taste and refinement, are greatly inferior to the satires of Horace. The *Æsopic* fable was successfully cultivated in verse by Phædrus, in the reign of Tiberius. After the time of Commodus we scarcely meet with a poet deserving of the name.

Latin prose likewise degenerated after the reign of Augustus: the philosopher Seneca, the instructor of Nero, exercised an injurious influence upon it by the rhetorical and affected manner of his style, which was counteracted, though in vain, by the great rhetorician Quintilian. In the time of Hadrian and the Antonines, there sprung up a singular fondness for old-fashioned and rare words and expressions, as we see in the works of Apuleius and Fronto. Historical writing laboured under still greater disadvantages; for at that time men were obliged to be as

APPENDIX.

§ 17. *The Alphabet, Writing Materials, Books, Libraries.*

381. The Roman alphabet is borrowed from the Greek.^a The orthography of the language was for a long time uncertain, as we find by the ancient coins and inscriptions. The substances on which laws, agreements, &c. were inscribed, were at first stone, bronze, and other metals, or wood (*album, tabulæ*). The Romans also employed at an early period the bark of certain trees, and linen (*libri lintei*), and afterwards generally the fine rind of the papyrus (*charta papyracea*), small strips of which were glued together, or parchment (*membranæ*), or tablets covered with wax. They wrote on these with a *stilus*, one end of which was sharp for writing, and the other broad for erasure. 382. On paper or parchment they wrote with the *calamus*, a kind of reed, chiefly brought from Egypt or Gnidus, with a sort of ink or black liquid (*atramentum*), and generally only on one side of the paper. The most ancient form of books is the *volūmen*, in which the leaves were pasted together, and rolled round cylin-

cautious in what they said of their cotemporaries, and even of men of a by-gone age, as in any modern state where the censorship exercises its despotism. Thus the Emperor Claudius was compelled to suppress his history of the civil wars, because he had treated the subject in too honest a manner; and Aurelius Rusticus and Herennius Senecio were put to death because they praised men whom they thought deserving of commendation, but whom Domitian hated. Notwithstanding all this, there arose some historians of eminence, both in regard to their style and to the method of treating their subjects. Among these we must mention Velleius Paterculus (a cotemporary and flatterer of Tiberius), Suetonius, and, above all, the great Tacitus, a man who stands preëminent and alone in the corrupt age in which he lived. After the time of Commodus, historical compositions sank to the very lowest state; and the only historian of any note, during the remaining period of the Empire, was Ammianus Marcellinus, about A. D. 360.

^a According to the legend, the alphabet was brought into Italy by Evander.

ders of wood or bone. The square form (*codices*) was also employed, chiefly for account books. Copies were multiplied by the labours of transcribers (*scribæ librarii*). Letters were written on thin wooden tablets overspread with wax. These were fastened together, and the string (*linum*) sealed with wax. 383. We hear of booksellers (*bibliopola*) towards the end of the Republic. The brothers Sosii are mentioned by Horace. The *Ædiles*, who were charged with the superintendence of the public feasts and games, purchased dramatic pieces from their authors. The first private library of which we have any account, was that of L. *Æmilius Paullus*. Afterwards, books were brought by Sulla from Athens, and by Lucullus out of Asia; and it became the custom in every great house, to fit up one room as a library. Among the public collections of books, the most remarkable was that of *Asinius Pollio* in the temple of the Palatine Apollo. Many others were afterwards added.

§ 18. *Inscriptions.*

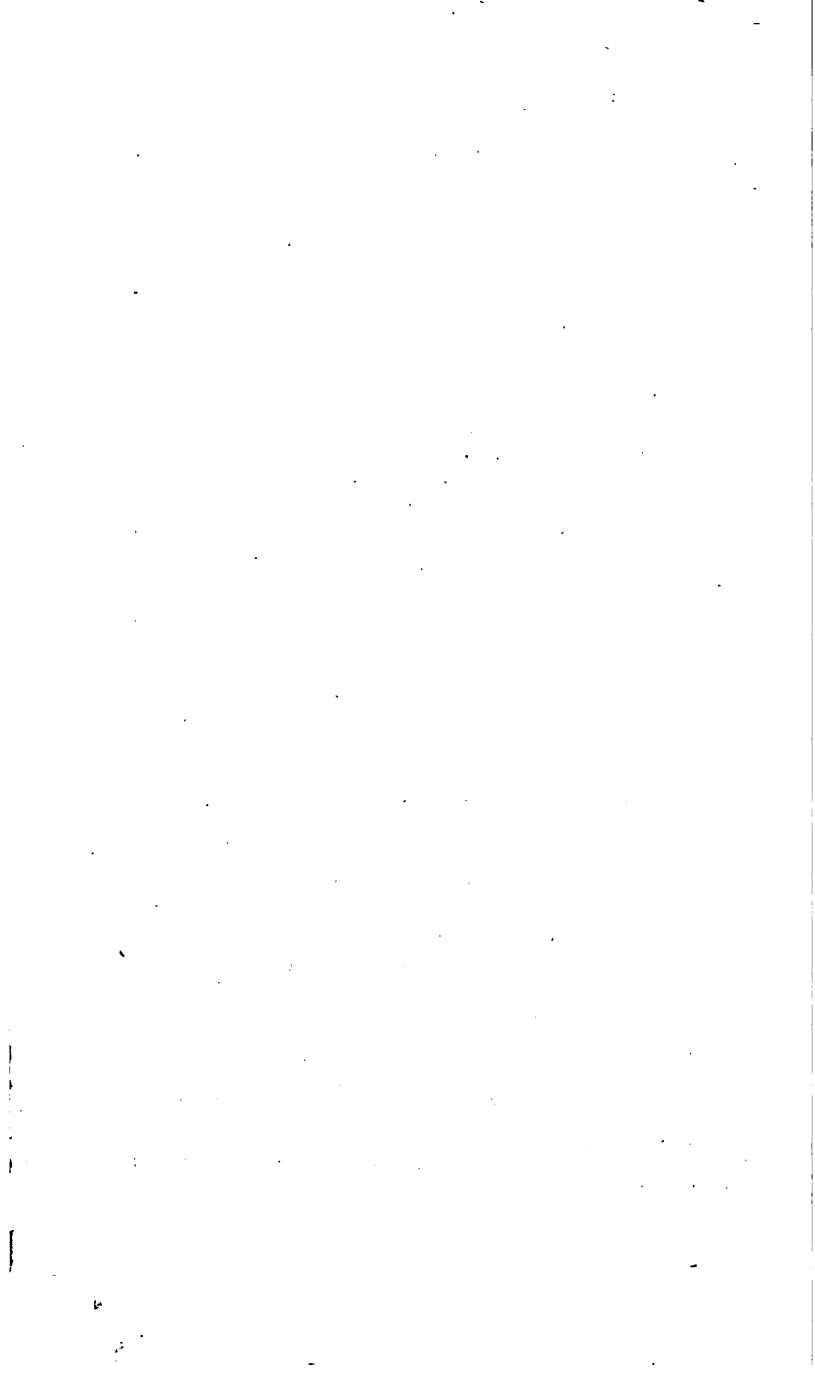
384. Inscriptions were very numerous among the ancients. A great variety of them on tablets of stone, walls, vessels, utensils, &c., have escaped the ravages of time. Some of these are important as historical documents. The great difficulty in deciphering them arises from the numerous abbreviations, which often render the meaning ambiguous. Whole sentences, for instance, were often represented by the initial letter of each word, e. g. D. S. P. F. C.; = *de sua pecuniâ faciendum curavit*. A critical examination is also necessary here, as many of the inscriptions which we possess, are spurious. 385. The most ancient inscriptions are; those on the monuments of the family of Scipio, on the *via Appia* (*L. Scipio Barbatus cons. B. c. 298*); the inscriptions at the foot of the *columna rostrata Duilii*; a *Senatus consultum de Bacchanalibus* (B. c. 186) on copper, with some other laws and decrees of the Senate inscribed on the same metal; the *monumentum Ancy-*

ranum, a relic of the time of Augustus, containing rules for the administration of the Government; fragments of the *Fasti Capitolini*,⁴ and a host of other inscriptions of the time of the Empire. Lastly, we possess a great number of inscriptions on gold, silver, and copper coins, which are often of great historical importance.

§ 19. *Codices.*

386. The writings of the ancients have reached us in the form of *codices*. Although the number of these is very considerable, they have, in most cases, been so mutilated through the carelessness and ignorance of the earlier *librarii*, and the monkish writing of the middle ages, as well as by the intermixture of glosses with the text, as to require the most careful examination and collation, in order to arrive at the meaning of the author. In some cases, indeed, we must content ourselves with a probable conjecture, and in others, give up all hope of discovering the true reading. Very few *codices* go back so far as the sixth century of the Christian era. 387. The more ancient may be generally recognized by the letters, which are larger, and similar in form to those of the inscriptions and on coins. The more modern are known by the smaller character, by the division of the sentences by means of puncta and kommata, by the contraction of the diphthongs, &c. In the ninth and tenth centuries, the manuscript is more elegant; but after that period, the letters are clumsily formed, and the abbreviations more numerous. Amongst the oldest *codices* are a *codex Mediceus* and a *codex Vaticanus* of Virgil, a Vatican *codex* of Terence, and a Florentine one of the Pandects.

⁴ The *Fasti* are either *Calendares* or *Magistratum*. To the *Fasti Calendares* belong the *Fasti Prænestini*, published in the reign of Augustus, fragments of which have been discovered. Of the *Fasti Magistratum*, we may mention the *Fasti Capitolini*, of which some fragments are also extant. They consist of *Fasti Consulares*, lists of the chief magistrates, and *Triumphales*, lists of generals who had been honoured with triumphs.



QUESTIONS

ON THE

ROMAN ANTIQUITIES.

1. Why must the descriptions of the Roman historians be used with caution? Why cannot the Greek historians and the orators be entirely trusted?

4. To what was the empire of Rome at first limited? When did it extend its power over the whole of Italy? At the dissolution of the republic, how was the Roman territory bounded? In the time of the republic, on what was the actual participation of Roman citizens in the affairs of government dependent?

5. What was the situation of Rome? On what hill was it founded? Who is said to have surrounded all the seven hills with a wall? Give their names. Who fortified the city again? What hills did he include? Explain *pomærium*. Into what tribes did Servius Tullius divide the city? To what was this number increased by Augustus? 6. Give the original character of Rome as to beauty and architectural decorations; its character after its destruction by the Gauls; in and after the time of Augustus; and after the conflagration in Nero's reign.

7. Name the most remarkable *portæ* and *pontes*. Name the most remarkable *viæ*. To what city did the *via Appia* lead? Account for its name. How were distances marked upon it? Over what *bridge* was the *via Flaminia* carried, and to what country did it lead? Where was the *forum Romanum* situated? Describe the situation of the *Campus Martius*, and for what purpose it was used. Name some principal *temples*; some *theatres*, *amphitheatres*, and *circuses*. Of which of these edifices do there still remain some ruins?

8. When Rome was founded, what people dwelt between the right bank of the Tiber and the Rætian Alps? Who were settled between the left bank and the *Mare Superum*? who lower down? Who dwelt to the south of the Tiber? What colonies were there at the lowest extremity of Italy? Who settled on the Tiber? By *whom*, *when*, and *where* is the city of Rome said to have been founded? 9. State what is *known* of the early position of Rome with respect to its powers and its relation to the surrounding tribes. How did it rapidly acquire internal strength, and an increased population? 10. At an early period, into what tribes do we find the Roman people divided? Were these tribes probably

of the same *stock* or not? Which seems to have been the *last* that joined the other two? Who were probably the first *patricii*? In what relation to them did the *clientes* probably stand? 11. Distinguish the *plebeii* from these. From what offices and privileges were the *clientes* and *plebeii* excluded? By what supposition with regard to the origin of each, may we best account for the relative positions of the *patricians* and *plebeians*?

12. Were the Roman kings hereditary or elective? Was their power absolute or limited? What were their principal functions? Who shared their power? 13. What traits do we discover, even in the period of the Kings, of that peculiar character, which was always borne by the Roman people? What kings showed a disposition to settle the mutual relations of citizens by laws and established regulations? Which of them manifested respect for property, and a political regard to a pecuniary qualification? which a reverence for religion? which a taste for handsome and durable public buildings? 14. What was the most important of all the political changes under the Kings? What burdens were laid upon the rich? by what privileges were these burdens compensated?

15. When was the monarchy exchanged for a republican constitution under the two Consuls? Was this a total change in the form of the constitution? What bodies now became more and more influential? From what causes? 16. What troubles and contests gradually developed the constitution of Rome? What was the most important step towards obtaining independence for the Plebeians? 17. To what was the original power of the Tribunes confined? What power did they soon acquire? on what occasion? What was the law of Volero Publilius? 18. In what *Comitia* did the Patricians still exert great influence? In the *Comitia centuriata* themselves, how was the influence of the Patricians exerted?

19. After what event did the popular power assume a more decided form? Why was the Decemvirate created? 20. What power had the *Comitia centuriata* possessed? By what *Comitia* was this power now claimed? What was the *lex Valeria Horatia*? when passed? What did the *lex Canuleja* authorize? 21. What led to the establishment of three *Tribuni militum consulari potestate*? Were Plebeians eligible to the *military tribunate*? What other new office was created? Was it exclusively *patrician* or not? What alterations of sovereign power now occurred? Were the *Tribuni militum* often *Plebeians*?

22. By what law were *Plebeians* rendered eligible to one of the two Consulships? What new offices were created? Were they, *either* or both, exclusively *Patrician*? After what year do we hear no more of two patrician Consuls? What offices were by degrees thrown open to the Plebeians? By what law were the *priesthoods* opened to the people? When? 22, 23. From the passing of what law must we date the dissolution of the Patrician order as a political body? What *Comitia* still retained their power? which of them lost theirs? On what was the new nobility founded, after the admission of *Plebeians* to all offices? 24. How did this nobility render itself more exclusive? What circumstance connected with the *Ædileship* (which, as the *lowest* magistracy, was the necessary *first step to all the rest*) excluded many from the great offices of state? How did this tend to aggrandize the nobility? Till what event did the government go on steadily and quietly on the whole? What

legislative, and what *judicial* power did the people then possess? What authority belonged to the Senate? From what body were the *judices* selected? What wars made great exertions necessary? What was the *general result* of these exertions?

25. When did a certain degree of laxity begin to manifest itself both in public and private life? What was now added to the lust of conquest? What principle gradually disappeared? What violent struggle now took place? What was manifested in this struggle? 26. By whom were the Senate and nobles in part supported? Who were the *Equites* or *Knights*? How did they acquire great wealth? By what *oppressive* character was their conservative tendency counterbalanced? How was the number of discontented citizens increased? 27. What was the *immediate*, what the *ultimate* effect of the laws passed by the *Gracchi*? When did Tib. Gracchus die? When Caius? What were the provisions of the *lex agraria*? When were the moral corruption and gross venality of the nobility displayed in the strongest light? What important defeat did the nobility then suffer?

28. When did the Social war break out? What right did the Latin and Italian people now extort? Of what evils was the admission of this crowd of citizens productive? Describe its general effect. 29. What reaction in favour of the nobles was brought about? In what respect did Sulla's example prove a bad *precedent*? When did the people recover their rights? did they *also* recover the power of exerting them *effectually*? Who acquired an overwhelming influence? 30. Who finally appropriated to himself a perpetual Dictatorship? Did any true republican spirit still exist? What new combination was now formed? In what did it end? Under what title did *Octavianus* concentrate all power in his own person? Did he allow the republican *forms* to remain? 31. Were these forms still retained under the succeeding Emperors? What innovations and changes destroyed even the shadow of Roman freedom?

32. How were the freemen divided?

33. What two meanings does the word *civitas* possess? Did Rome ever consider herself as one of the Latin states? What were *peregrini* originally called? What entire class of *citizens* were excluded from the most important rights?

34. What responsibilities were common to all *citizens*? Name the most important civil privileges in public life. Explain *jus suffragii* and *jus honorum*. Mention some enactments by which the person of the Roman citizen was also protected. 35. In its relation to private rights, how may *civitas* be considered? Explain *connubium* and *commercium*. When were Roman citizens entirely exempted from the payment of taxes? Of what was every Roman citizen obliged to be a member? Where must his name be enrolled? By what term are the aggregate rights of a Roman citizen expressed?

36. How were the inhabitants of a conquered territory treated in the earliest times? What was the nature of *civitas sine suffragio*? When was the *lex Julia* passed? What rights did it confer on the Latin and Italian tribes? To what country did J. Cæsar grant the *civitas*? On whom did Caracalla bestow it?

37. In what way was the privilege of citizenship acquired? How was it lost? Explain *deminutio capitis*. Mention its various kinds or degrees.

38. What division of the citizens was much more permanent than that of the *Curia*? What distinction was afterwards introduced? What new *ordo* appeared? Mention some other distinctions.

39. Into how many tribes did Romulus divide the people? Name them. What does this classification seem to indicate? With what political measures do the union of these tribes, and their extension by L. Tarquinius Priscus, stand in close connexion? How were the three *tribus* divided? Who was the chief officer of each *cury*? What was the most ancient political assembly? When did the whole institution of the *Curies* lose its importance?

40. Who is said to have established the relation of *Patroni* and *Cientes*? What duties did the *Patron* owe to the *Client*? what the *Client* to the *Patron*? What might neither do to the other? Was the connexion between *Patron* and *Client* hereditary? Is the term *Client* synonymous with *Plebeian*? What was probably the origin of the relation between *Patroni* and *Cientes*? 41. What change afterwards took place in the *clientela*? What were then the duties of the *Client*? Give an instance of a national *clientela*. What connexion existed between emancipated slaves and their former masters?

42. What do Livy and Dionysius inform us respecting the *Patricians*? What is a more probable opinion? How were the original citizens with full rights divided? On this supposition what would the Senate seem to be? Of what would its augmentation be a natural consequence? 43. Was *connubium* permitted between the *Patricians* and *Plebeians*? What exclusive privileges did they enjoy? From what time were the *Plebeians* allowed to take part in the *comitia*? Were they ever admitted to equal rights with the *Patricians*? How did the *Patrician* families gradually become extinct? In the time of the Emperors, how were they replaced?

44. To whom is the division into classes and centuries ascribed? What was his object? What advantage had the rich in the division of *classes*? Who voted first? What was the *qualification* of the first *class*? how many *centuries* did it contain? What centuries of handicraftsmen were also attached to it? 45, 46. Give the qualifications and number of centuries of the second, third, fourth, and fifth classes. Where were the *accensi*, *cornicines*, and *tubicines* placed? Where were the still poorer placed? From what were they generally exempt? Who broke through this exemption? Give their *names* and number of centuries. How was *each class* divided?

47. How did Servius Tullius divide the city? How the country? What change was afterwards introduced? After the expulsion of the Kings, how many tribes were there at first? To what was the number gradually augmented? Is it known when or how? For what body in the state was the division into tribes especially important? Why? Which were the most respectable *tribes*? 48. Name and give the number and character of the *tribus urbanae*? What change did the Censor Q. Fabius Maximus Rullianus, and, subsequently Tib. Sempronius, the father of the Gracchi, effect with respect to the *tribus rusticae* and *urbanae*? When did this division into tribes lose its importance?

49. When did the word *plebs* begin to change its meaning? What was its *new* meaning? How were the higher ranks then denoted?

50. What does Livy inform us with respect to the *patres*? When

and by how many was their number increased? Who were admitted into the Senate by Tullus Hostilius? Explain *patres minorum gentium*. In the phrase *patres et conscripti* (for which *patres conscripti* was afterwards used), explain the meaning of *et conscripti*. Give the honorary terms by which the Senate was usually spoken of. Is the assertion that Sulla increased the number to six hundred capable of proof? What limit did its number probably not exceed? (see note 5.) 51. What were the qualifications for admission into the Senate? Prove that even at an early period the qualification must have been considerable. 52. By whom were the Senators chosen? What was in later times a qualification for admission into the Senate? Explain *ætas quæstoria*. From what order were the Senators at first chosen exclusively? When do we hear of plebeian Senators? When did this become common? Which was the *lowest* of the great magistracies? Name the insignia of the Senators.

53. What was the *ordo equester* at its first institution? Explain the *celeres* whom Romulus appointed. Which of the Kings is said to have enlarged the centuries of the Knights? By whom was their number doubled? What addition did Servius Tullius make? Where did they vote? Explain *equus publicus* and *æs equestre*. 54. At a later period how did the *equestrian* order acquire political importance? How did many of the Knights acquire large fortunes? In later times what was the *census equester*, and who then became *equites*? What Knights did not vote in the *centuriæ equitum*? State the insignia of the Knights. What were their epithets of honour? Explain the phrases *vivere angusto clavo contentum*, and *sedere in quatuordecim*. (see note 1.)

55. As the difference between Patricians and Plebeians disappeared, what new classification arose? Who were considered *nobiles*? 56, 57. What *limited*, in practice, the numbers of the *nobilitas*? Explain the term *homines novi*. Name some *homines novi* who obtained the highest honours. What was the only privilege of the nobility? Explain *imagines*. What were the terms for the conservative party, and the movement party?

58. On what was the exercise of the most important political rights always dependent? With regard to actual participation in the affairs of government, what distinction of the citizens must we recognize?

59. Explain *civitas sine suffragio* and *ager publicus*. What became of the *ager publicus*? How was a conquered territory secured? What was virtually the condition of the *coloni*? What did they retain? What did this arrangement often produce? 60. What is the difference between *coloniæ civium* and *coloniæ Latinæ*? When was the establishment of any *coloniæ civium* suspended? When revived? At a later period to what country were *coloniæ civium* sent? Under the Gracchi with what object were *coloniæ civium* sent out? *When* and *why* were military colonies established? 61. Describe the sending out of *colonies*.

62. Explain the term and the constitution of *municipia*. Did all the *municipia* possess the *suffragium*? When were all the Italian towns made *municipia cum suffragio*? When were there also *municipia* in the provinces?

63. Explain the *præfecturæ*. Give an instance of a *præfectura*. By whom were the *præfecturæ* governed? Did they ever obtain the *suffragia*?

64. Explain *ingenui* and *libertini*.

65. Explain the different condition of conquered tribes in the earlier and later times. Explain the term *peregrini*. What was the condition of those *peregrini* who were also *socii*? How was their relation to the state generally defined? What did their condition finally become? What were the principal allied states which retained their own form of government? 66. What was the condition of other *peregrini*? What were they called? Did the *peregrini* possess the *jus suffragii* and *honorum*? To what were they liable? What private rights did they not possess? What restriction on the judicial rights of *peregrini* existed in the older times? When was it removed? Mention some legislative enactments against the *peregrini*.

67. Among the *socii*, who were the most remarkable? How is the peculiarity of their relation to the Roman state expressed? When and by whom was Alba taken? What became of its inhabitants? In whose reign did Rome become the head of the Latin confederation? Were the wars between Rome and the *Latins* renewed? how long were they continued? Did they obtain equal rights? Who were also admitted into this confederation? 68. When was the whole of Latium brought under the Roman yoke? What was the condition of the *Latini*? Was their connexion with Rome different from that of the other *socii*? Under what circumstances might they be admitted to the freedom of the city? For what purpose did the Romans frequently employ the Latin people? 69. When were the *Latins* and their colonies admitted to the freedom of the city? What cities soon afterwards received the privileges which the *Latini* had before possessed? When was this arrangement extended to the provinces? From the time of Tiberius, by what name were such *libertini* expressed, as had the *commercium* but not the *connubium*? Might they be admitted to the full privileges of citizenship? Was the constitution of the Italian other *socii* essentially different from that of the *Latins*? What was the *jus Italicum*? What its principal effects?

70. How were slaves looked upon? What power had masters over their slaves? Explain *ergastulum*, *in pistrinum dari*. (see note 3.) 71. Explain *demensum*, *peculium*, *vendi sub coronâ*, *de lapide emptum esse*. (see note 4.) What misdeeds or misfortunes rendered a citizen liable to be punished by enslavement? Who were the *mangones*?

72. In what three ways was emancipation effected? Explain manumission *per vindictam*. (see note 6.) What more simple forms of manumission were afterwards employed? On what did the *Lex Ælia Sentia* make the right of manumission dependent? 73. Distinguish between *libertinus* and *libertus*. What name did the emancipated slave take? What if he died *intestate*? Did he enjoy all the public rights of a free-born citizen? From what tribes was he excluded? from what honours and offices? Was the same regulation observed with regard to the *fili libertinorum*?

74. In the best days of the Republic how was political power divided? What belonged to the people? State the *powers* of the people. 75. To what body did the executive authority, strictly so called, with its overwhelming influence, belong? By whom were the officers of state chosen?

76. Explain *comitium* (sing.) Explain *concio* (or *contio*). (see note 7.) How many *Comitia* were there? To what form of constitution did the *curiata* belong? Whom did the *centuriata* comprehend? To whom did the *tributa* belong exclusively, or, in a great measure? When did

the Comitia become turbulent and corrupt? Explain *Divisores, interpretes, sequestres*. (see note 8.) When did they lose all their importance? When were they entirely suppressed?

77. Explain *dies comitiales*. What previous notices were necessary? On what days could *comitia* never be held? Explain the term *profiteri*.

78. Within what space of time must the business of the Comitia be transacted? What caused the proceedings to be adjourned? Explain *morbis comitalis*. (see note 9.) Explain *servare de cælo*. Explain the frequent occurrence in Consular edicts of "*Ne quis magistratus minor de cælo servasse velit*."

79. Where were the *Comitia curiata* held? When did they gradually lose their importance? What purpose did they thenceforth serve? In later times did the *Curies* ever assemble? Explain *Comitia calata*.

80. Where were the *Comitia centuriata* held? By whom? What business was done in the *Comitia centuriata*? When did capital offences cease to be tried in the *Comitia centuriata*?

81. How long before the day of meeting was the subject for discussion published? How was this interval employed? Explain *suadere, dissuadere legem*. On the day of meeting, what preliminary observances were practised? Where were the Comitia generally held? How were they opened? 82. Explain *intercedere*. If no objection were made on the part of the Tribunes, and no religious obstacle existed, in what form did the presiding magistrate put the vote? What was the term for *putting the vote*? Who voted first? Did the voting usually *go through* all the classes? Was the great preponderance of the rich ever diminished? What division of the people was then allowed its influence? Explain *centuria prærogativa*. 83. How were the votes given? Explain *Uti rogas*, and *Antiquo*? Explain *pontes, ovile*. Explain the manner of voting. How was the law adopted by the assembly registered?

84. What were the regulations common to both sorts of Comitia? Could the decision of the Augurs reverse a resolution formally adopted by the Comitia? (see note 5.) How were their resolutions confirmed in the earlier times? Explain *auctoritas patrum*. What did the *lex Publilia* provide?

85. Did the regulations mentioned in the preceding paragraph apply to the *Comitia tributa*? Where were these held? When were *Comitia tributa* first introduced? By what laws were they legally established? What judicial authority did they exercise until the laws of the Twelve Tables? What magistrates were chosen at these Comitia? After the *lex Domitia*, what change was made in the election to the priesthood? 86. When did the *legislative* power of these *Comitia* become great? What powers belonged exclusively to these Comitia? By whom were they generally held? Could they be prorogued by the *obnuntiatio*? Who seem to have absented themselves from the *Comitia tributa*? Was legislative power ever withdrawn from them? by whom restored?

87. What was the province of the Senate? In extraordinary emergencies, in what form did the Senate call on the magistrates to act as circumstances might require? When did the Senate lose its real power? How long did it continue to exercise some legislative and administrative authority?

88. By whom was the Senate convoked in early times? Where did it generally assemble? Where might it be held? Mention some *temples*

in which the Senate was often held. What is the phrase for *giving an audience* to an ambassador? What terms denoted regular and extraordinary meetings? Between what hours were the meetings of the Senate held? 89. Explain *referre ad senatum, rogare sententias, sententias dicere, verbo sententiam dicere, verbo assentiri*. In the earlier and later times (respectively) who were first called on? who next? Explain *egredi relationem*. What is the phrase for *speaking against time*? 90. What was the actual voting called? Explain the request *divide sententiam*. What was a decree of the Senate called? Where were such decrees kept, and under whose custody? What was necessary to make a decree of the Senate valid? How might those who absented themselves without reasonable cause, or grossly violated standing orders, be punished? What power had the Tribunes over the decrees of the Senate? Distinguish between *Senatus auctoritas* and *Senatus consultum*.

91. What does *magistratus* signify? (see note 7.) In ancient times, who possessed the supreme executive and judicial authority? What royal privilege was afterwards intrusted to the *Rex sacrificulus*? How were Kings supported? What was a part of the *royal demesne*? What magistrate succeeded the King? 92. What magistrates were afterwards appointed? When first? Explain *prorogare imperium*, or *provinciam*. From what practice did the appointment of Proconsuls and Proprætors arise? 93. Who united all the powers of the state in his own person? In the time of the Emperors, did the great officers retain their names and outward distinctions? What new magistrates were then appointed? What powers did the *Præfectus Urbi*, *Præfectus Prætorio*, and *Præfectus Annonæ* (respectively) possess? 94. From whose times was an entirely new organization of the government and public offices introduced? How were the great state officers then designated?

95. Who were the ordinary magistrates? What magistracies were extraordinary? What ordinary magistrates enjoyed *nobilitas* or official rank? 96. If we compare the Roman magistracy with that of more modern states, what striking difference do we perceive? 97. When did the administration of the provinces become extremely lucrative? What difference was there between the ancient and most modern magistracies, as to their *time of office*? What office was held for *more* than a year? for how long *was* it held? Mention a third distinction with regard to the qualifications of magistrates. 98. In matters of great importance who acted as a *consilium* to the Consuls? to the provincial officers? to the general?

99. Till whose time did the people choose their own magistrates? What qualification was at first necessary? What offices could not be held by Patricians? If a Patrician desired to fill one of these offices, what was necessary? In what order were the great magistracies sought for and held? What was originally a necessary qualification for office? What afterwards? Give the ages required in candidates for the Quæstorship, Ædileship, Prætorship, Consulship. Explain *Consul suo anno*. 100. Explain the term *candidati*. Explain *nomen profiteri, ambire, ambitus, prensare*. In the early times, when did the magistrates generally enter on their office? With what exception? When were the elected magistrates termed *designati*? What were the forms of their investment? 101. What *restrictions* were there as to the *number* of offices a person could hold, or the frequency with which he might hold them?

Were any of these regulations ever relaxed? How old was Scipio Africanus *minor* when he was chosen Consul the first time? Mention some other remarkable elections to the high offices.

102. What is the general term for magisterial authority? What rights did the Roman magistrates possess within their own jurisdiction? What magistrates had not the right of taking the auspices? Which of the high magistrates could not call the Senate together? Which of the inferior magistrates could assemble the Senate? How could the magistrates enforce their authority? 103. Explain *vocatio* and *prehensio*, and state what magistrates possessed these powers. Is it certain that a magistrate could not be cited before a tribunal during the continuance of his office? In Catiline's conspiracy, what step was Lentulus compelled to take previously to his trial? If the auspices had not been correctly taken, what might a magistrate do? Explain *imperium*. 104. How was the *imperium* committed to magistrates? By whom could it not be exercised? If a pro-magistrate who enjoyed the *imperium* in one of the provinces desired to have a triumph at Rome, what was requisite? What security existed against malversation in office? What were the insignia of the higher magistrates? What was the *Sella curulis*? (see note 3.) What rank did the ex-magistrates enjoy? Give their names.

105. What seems to have been the original name of the Consuls? Over what magistrates could the Consuls not exercise authority? What was named from the Consuls? State generally the power of the Consuls. When did they cease to administer justice in ordinary cases? In time of war, what power did they exercise? If there were only one war, who usually commanded the armies? If there were more than one, how was it settled which Consul should command each army? Explain *comparatio*. Explain *prorogare imperium*. 106. In the latter days of the Republic, when did the Consuls command the army? Explain *Consul subrogatus*, *suffectus*. What was the distinctive mark of the consular dignity? When had each Consul the *fascēs*? Explain the term *Consul Major*. (see note 4.) When did the Consulship lose its importance? After the partition of the empire, was the number of the consuls doubled? What was done? What was the last occasion on which a private individual filled the office of Consul? 107. How often was the succession of Consuls interrupted? What was the first interruption? For what purpose? What was the second interruption? Account for it. What magistrates were created? Who were eligible to the office? How long did the *Tribuni Militum consulari potestate* last? What law provided that one of the Consuls should be chosen from the Plebeians? What was the number of the *Tribuni Militum consulari potestate*?

108. How must the Prætorship be viewed? When did the Prætorship become a separate magistracy? Show how closely this magistracy resembled the Consulship. Was the Prætorship ever filled by *Consulares*? 109. What was the especial province of the Prætor? Explain the meaning of the *Prætor's Edict*. Explain *judices dare*. In appointing to the *Prætorship*, was regard had to the legal knowledge of the candidate? Of what games had the Prætor the management? Explain *Prætor urbanus*, and *Prætor peregrinus*. When did this division of the *Prætorship* begin? When were the duties of both offices discharged by the *Prætor urbanus*? 110. When was the number of Prætors raised to four? when to six? When the *quæstiones perpetuæ* (182) were intro-

duced, when did the Prætors go to their provinces? (*Ans.* Not till *after* their year of office; they then commanded in the provinces as *Proprætores*.) Were the *judices quæstionis* magistrates? In what period were such *judges* appointed? (see note 7.) What was at last their number? Under the Emperors, to what was this office restricted? Had the Prætor any *lictors*?

111. By the constitution of Servius Tullius, how often was the supreme magistrate required to hold a muster of the citizens? for what purposes? When and why were the two Censors created? How long did they continue in office? What prevented the census from being always held within the time appointed by law? What did the Censor not possess? What rights did he not possess? In later times, by whom was this office filled exclusively? 112. Where was the quinquennial census held? Explain the term *incensus*. What was each citizen obliged to do? Of what was he *not obliged* to render an account? Were debts taken into the account? Was any tax then imposed? 113. Explain *censura morum*. What penalty might the Censor inflict? What was the *proper* term to denote this? on whom was it usually inflicted? How did the Censor punish a *Senator*? a *Knight*? Explain *tribu moveri*, and in *Cæritum tabulas referri*. Explain *ararium facere*. 114. When were all the citizens no longer personally enrolled at Rome? Might one Censor reverse the judgments of the other? Might the Censors of the following *lustrum* remove the *ignominia* inflicted by their predecessors? Explain the term *lustrum*. (see note 3). If one of them died, what was his colleague obliged to do? 115. What was an especial branch of the Censor's duty? Explain the term *publicani*. When did the Censors cease to be elected by the people? Under the Emperors, who sometimes discharged the office?

116. When were the two Plebeian Ædiles first created? When were two Curule Ædileships added? For what purpose? Were they held by Patricians or Plebeians? What were the duties of the Ædiles? 117. Was the difference between the Plebeian and Curule Ædiles an important one? What insignia might the Curule Ædiles bear? When and how did the office of Ædile become very expensive? What *games* were superintended by the Ædiles? What Ædiles did Cæsar add?

118. Is the origin of the Quæstorship known? By whom were the Quæstors chosen at first? When did this arrangement cease, and who *then* elected them? Was the office originally patrician or plebeian? Which of the *Quæstors* accompanied the Consuls in their campaigns? How many Quæstors were there originally? When and why were four more Quæstors appointed? What was the *greatest* number of Quæstors afterwards? 119. What were the duties of the city Quæstors? What of the provincial Quæstors? How were their provinces assigned to them at a later period? To what was the Quæstorship the first step? What right did it give its holder? What body was latterly in a great measure filled up from the Quæstors? Did the office continue under the empire? 120. Who were the *Tribuni æarii*? When had this office disappeared? Was the name ever revived? was the office the same?

121. On what occasion was the Tribuneship of the People created? How was the *person* of the Tribune protected? What was the number of the Tribunes at first? What afterwards? From whom were they chosen? Had the Tribunes any right of co-optation, *i. e.* of filling up

vacancies in their own body? Were they magistrates? What was their single duty? Explain *intercessio*. 122. What powers did they soon arrogate to themselves? When the distinction between Patricians and Plebeians lost its political importance, what was the object of the *intercessio*? How was this *intercessio* sometimes enforced? What right had the Tribunes with reference to the Senate? Could one Tribune nullify the decisions of the rest by his *intercessio*? What means were there of rendering the *intercessio* of the Tribunes inoperative? 123. What did Tiberius Gracchus venture to propose to the people? How far from the city did a Tribune's authority extend? How was a Tribune's absence from Rome restricted? Who were disqualified for the Tribunate? When did great abuses in the *intercessio* begin to occur? How did Sulla curtail the powers of the Tribunate? When were these restrictions removed? Under Augustus, who received the *Tribunicia potestas*? Who bore this office under the succeeding Emperors?

124. Who were the *Triumviri capitales*? Explain the term or title *Triumviri monetales*, or *iii Viri AAAFF*. Who were the *Curatores viarum*? Who were the *Decemviri litibus judicandis*? What were these officers called collectively? Who were the *Triumviri nocturni*?

125. When was a *Dictator* chosen for the first time? On what occasion? Explain *dictatorem dicere*. For what purposes were *Dictators* appointed? At what *Comitia* were they originally elected? At a later period, by whom does the Dictator seem to have been chosen? 126. Who was his assistant or second in command? what *rank* belonged to him? What power did the Dictator originally possess? Was there any *exception* to the suspension of the other offices? How long did the Dictatorship last? Was the office always patrician? Was its power ever circumscribed? At the end of the Republican period, who were invested with a perpetual Dictatorship? 127. On the death of a King, how was the interregnum managed? In the time of the Republic, when was this practice revived? Give an instance of such revival. From whom was the *Interrex* chosen? When do we again find *Interreges*? 128. Who was the *Præfectus urbi* or *Custos urbis*? For what purpose was such an officer retained in the time of the Republic? By whom were the official duties of the Consul discharged in such absences? What was the office of the *Præfectus urbi* under Augustus?

129. Who were the *Scribæ*? How were they divided? How were they distributed among the magistrates? How were the *Scribæ* originally looked upon? how afterwards? 130. Give the names of the *servants* or official attendants on magistrates.

131. Who were the *Præfecti annonæ*? Give the names of some.

132. Distinguish between *jus publicum* and *jus privatum*. How was *jus privatum* subdivided?

133. To what did the *jus civile* owe its origin? How was the *jus civile* augmented? By whom were laws drawn up? By whom approved? Explain *jus honorarium*. What did the *Prætor urbanus* do when he entered on his office? 134. How long did the *Prætor's* Edict continue in force? Was the effect of the *Prætor's* Edict quite lost on his quitting office? How must we look on the *Prætorial* edicts? Explain the terms *res judicata*, *responsa*. In the time of the Emperors, what *official jurists* were publicly appointed?

135. From the time of Augustus, what superseded the edicts of the

Prætors? What collections of royal ordinances were made? 136. *Ex* plain *Codex*, *Digestæ*, or *Pandectæ*, *Institutiones*. What was the *Codex Repetitæ Prælectionis*? What the *Novellæ*?

137. In both *publica* and *privata judicia*, what is a peculiarity of Roman law? Who decided the legal question? who the question of fact? How far did the *judices* correspond to *our* notion of *judges*? What term denoted the proceedings before the *magistrate*? what those before the *judices*? Were the magistrate and the judges professed lawyers? Show that legal knowledge, in the time of the Republic, was more widely diffused than in our day. (see note 5.)

138. In whose hands was the administration of justice placed at first? In whose at a later period? What did the Prætor settle? After the preliminary proceedings [*in jure*] what did he leave to the decision of the *judices*? Who provided that the sentence of the *judices* should be carried into effect? What was the collective name for the exercise of the Prætor's judicial functions? Explain the words *DO*, *DICO*, *ADDICO*, as indicating the Prætor's functions. Where did he preside? With what was the Prætor *urbanus* occupied? 139. With what were the other Prætors charged? In the municipal towns and colonies, how was justice administered? In the provinces, who exercised jurisdiction? In the days of the Empire, who was the chief magistrate? Who were under him? When did the difference between *jus* and *judicium* cease? Explain that distinction.

140. To whom did the investigation of the *factum*, and the judicial decision consequent on such investigation belong? How and by whom were the *judices* chosen? How were they divided? (Into *decuriæ*.) What were the whole body of *judices* termed? (*Judices selecti*.) Who were the *Recuperatores*? (From the name one would suppose them to be the judges in causes where property or damages were to be *recovered*, cf. 170. The term occurs as strongly opposed to a *single judge*; from which it follows that there were always *several Recuperatores*.) Who were the *Arbitri*? (A judge was probably called *Arbiter*, when he was to determine the cause on principles of *equity*: an *arbitrium* was an *actio bonæ fidei*, to be determined *ex æquo et bono*: nor was a definite amount claimed as in a *judicium*.) Was an Arbiter always appointed by the Prætor? (No: the parties might choose a private *Arbiter*, who was called *Arbiter honorarius* or *disceptator domesticus*.) From whom were the judges originally chosen? (From the Senate.) When were the *judicia* given to the *Equites*? (From the time of C. Gracchus.) Were they ever (and if so *when*) restored to the Senate? (Yes: in Sulla's time.) Was any other change made? (Yes: in B. C. 70, they were divided between the Senators, Knights, and *Tribuni ærarii*.) Who were the *Tribuni ærarii*? (see note 7.) Did the *leges judiciariæ* which enacted these changes in the judicial body, relate to both *publica* and *privata judicia*? (No: probably only to the *publica judicia*.) What change did Cæsar make? (He took the *judicia* from the *Tribuni ærarii*.) In the municipal towns and provinces, how were the judicial functions

¹ Gajus 4, § 105, *Recuperatoria et quæ sub uno judice*, &c.: § 103, *Si Romæ aput recuperatores agamus, vel aput unum judicem*, &c.

² See Dict. Antiqq. p. 532: so also *Walter*, and *Osenbrüggen* in his review of this work.

discharged? 141. Of what court do we read besides the court of the Prætor? What was properly the number of the judges? Is the nature of the Decemviral court (*Decemviri litibus judicandis*) known?

142. What were the counsel called? Were they necessarily accomplished Jurists? What did the *lex Cincia de donis et muneribus* enact? Was any change made at a later period? Who were the *Advocati*?

143. Of what rank (originally) were the *Jurisconsulti* or *prudentes*? Whom did they direct? What were the terms by which their legal opinions were denoted? Mention one of the most renowned Jurists. When did he flourish? Mention some other celebrated Jurists. (Ulpianus, Paulus, Papinianus.)

144. What was the chief qualification for the enjoyment of civil rights? Who alone had the *connubium* and *commercium*? Who were excluded from a participation in these privileges? What was another qualification for the full exercise of civil rights? What was necessary before any citizen could engage in any legal process? Were any regulations afterwards adopted for the benefit of minors?

145. How are private rights divided by Jurists? Distinguish between *possessio* and *dominium*. How was *dominium* subdivided? What were *res Mancipi*? Was the acquisition of ownership accompanied by legal forms? Explain *mancipatio*. What is the contrary term to *res Mancipi*? (see note 9.) 146. In what ceremonies besides those relating to the acquisition of property, did a *mancipatio* take place? What was a similar legal process called? Explain *in jure cessio*. Explain *usucapio*. What period established prescription for immoveable property? What for other property? Were the regulations respecting prescription afterwards altered?

147. Define *obligatio*. According to the Roman Jurists, to what did all obligatory rights owe their origin? Between whom alone could contracts be entered, by the old strict Roman law? At a later period who also could enter into contracts? 148. Name the principal forms for contracts. Explain *nexus*. By the laws of the Twelve Tables, what was the condition of debtors who bound themselves by *nexus*? What law exempted the person of the debtor from imprisonment in chains? When was it passed? Was it always observed? Explain *stipulatio*. To what had written contracts especial reference? 149. Explain *nomina facere* (*scribere, perscribere*.) How were payments frequently made? How were obligations incurred in the provinces?

150. To what crimes did obligations *ex delictis* extend? Explain *furtum manifestum*. By the laws of the Twelve Tables, how might a thief taken in the act be punished? By the prætorian law, what was enjoined in cases of *furtum manifestum*? What in cases of *furtum nec manifestum*? What was enforced in cases of actual personal injury, *injuria*, unless the matter was settled by compromise? For smaller offences of this description, what penalty was inflicted? By the prætorian law, what was substituted for the *talio*? 151. Define *damnum*. How was it atoned for? When violations of (landed) property became common in the Civil War, what penalty was imposed?

152. What did a *matrimonium justum* presuppose on both sides? Define *connubium*. Name the strict forms of a *matrimonium justum*. Describe *confarreatio*, *coemptio*, *usus*. 153. By what terms was the wife's subjection to her husband denoted? Did the wife ever remain sub-

ject to her father or guardian, or at her own disposal? When? Did the strict forms of a *matrimonium* become *more* or *less* common in later times? Explain *matrimonium injustum*. What did a *matrimonium in justum* not confer on the children? on the father?

154. Was bigamy allowed? Were there *any* (and if so, *what*) *prohibited degrees*? By what was the marriage usually preceded? Might a betrothal be cancelled? Who usually gave a dowry to the bride? Might the marriage ever be annulled? when? What are the terms for *divorce*, and *to divorce* a wife? Explain *repudium*. 155. By what form were marriages by confarreation (152) dissolved? Did *divorces* gradually become more or less common? By whom was the sanctity of marriage enforced? When and why was the *lex Poppæa* passed?

156. Explain *patria potestas*. When was the form of adoption called *arrogatio* used? Where did it take place? In whose presence? What powers did the father possess over his children? 157. Could a son in *patria potestate* acquire property? Was the father obliged to discharge debts contracted by his children? Explain *peculium*. By what was the parental authority forfeited? How did *adoption* differ from *arrogation*? In whose presence was it concluded? by what acts? of what other modes of adoption do we read?

158. Distinguish between *agnatio*, *cognatio*, *affinitas*.

159. What was understood by the term *gentes* in the most ancient times? To such a *gens*, who were attached as subordinate members? Who alone claimed the term *gens*? When did questions begin to arise respecting the right of *gentilitas*?

160. How was the guardianship of minors, or the administration of their property settled? How was an unfaithful guardian punished by the Twelve Tables? How was the guardianship of *viduæ* settled? Explain *turpe iudicium tutelæ*. Explain the extent of the term *viduæ*.

161. What women might manage their own property? When did they necessarily require the *auctoritas* of a guardian? For whom were *curatores* sometimes appointed on the application of the family? What was their office? Who appointed a *curator* for *minors*?

162. By the old strict law, who *did* and who *did not* possess the full right of making a will? Who could not be named as an heir? By the *lex Voconia*, what class of persons could not make a woman their sole heir? What limit was there to the amount of *legacies* that could be left by such persons to *women*? 163. In the time of Augustus, who were excluded from the right of inheritance? Name and explain the three descriptions of will. Which description was retained the longest? Explain *hæres ex asse*, *hæres ex dodrante*, *hæres ex besse*, &c. 164. When was a testament invalid? If a man died intestate, who were his natural heirs? In default of such, who inherited? To whom did the inheritance of a freedman, who left no natural heirs, fall?

165. What provisions of the civil law of inheritance were exceedingly unjust? By what were these severe clauses afterwards modified? What did the prætorian rule of succession not constitute? Was the prætorian testament in writing? Against what was it not valid? Explain *bonorum possessio contra tabulas*. When and by whom was this granted? Explain *bonorum possessio secundum tabulas*.

166. Explain the difference between proceedings *in jure*, and proceedings *in iudicio*. What were the most ancient forms of legal process?

Who only could avail themselves of the *legis actiones*? What did they necessarily require? Explain *actor*, *petitor*, *reus*. What involved the loss of the suit? Among the various forms, name the most important, and that which was longest retained. 167. In pleas *in rem*, what was often added to the *legis actio sacramento*? Explain the term *vindicatæ*. In the case of immoveable property, or of objects which could not be brought whole into court, how was this form managed?

168. What were afterwards introduced instead of the old symbolic forms? What was the general effect of the introduction of *actiones*? 169. With whom did the choice of the *actio* rest? What was the consequence of an erroneous choice? Explain *plus petere*. If the cause was not thus rejected, what *formula* did the plaintiff receive? 170. Name the parts of this *formula*. Were all these parts found in every *formula*? What was stated in both the pleadings and the judgment in every *actio* which sought to recover from the defendant? 171. Explain the term *præscriptio* or *exceptiones*. Give instances of a *præscriptio*; of an *exceptio*. To whom did the investigation of the fact on which the exception was founded belong?

172. How did the proceedings *in jure* commence? In ancient times, on what was the compulsory force of an *in jus vocatio* dependent? Explain *vadimonium*. Explain *vadimonium promittere*, *vadari*, *vadimonium sistere*, *vadimonium deserere*. (see note 7.) 173. What was done when the magistrate and counsel were instructed by these preliminary proceedings concerning the character of the *actio* which the plaintiff desired to adopt? What officer was named in the writ? Who seems to have had the right of proposing the *judex*? Explain the form *iniquum ejëro*. If several judges were appointed, with what did the proceedings *in jure* conclude? (In any action for recovery) what were they called?

174. Must the proceedings *in judicio* be concluded in one day? How was the case to be proved? Distinguish between *tabulæ justæ*, or *codices accepti et expensi*, and *adversaria*. (see note 9.) What change did the process by *formula* introduce with respect to the plaintiff's personal appearance? Explain and distinguish between *cognitores* and *procuratores*. At the close of the proceedings, what did the judge do? By what form of words did he decline to pronounce sentence? 175. Were there any means of reversing an unjust sentence? What means? By what was the operation of the sentence sometimes enforced? Mention some descriptions of condemnation which were attended with infamy. What did non-appearance occasion? Mention some modes of discouraging unnecessary or pettifogging actions. What followed if the sentence were not obeyed?

176. Explain the *interdicta* of the Prætor.

177. Explain *judicia publica*. By whom were they originally conducted? After the expulsion of the Kings, who presided over these courts? How were capital offenders tried? After the introduction of the Tribuneship, what class of offenders were sometimes summoned by their Tribunes before the *Comitia tributa*? Give instances. 178. According to the laws of the Twelve Tables, where only might capital offences be tried? What power did the *Comitia tributa* still retain? When were the *questiones perpetuæ* introduced? What causes came under the *questiones perpetuæ*? (*De repetundis*, *majestatis*, *de sicariis et veneficiis*, *de parricidis*, *peculatus*, *ambitus*, *de numis adulterinis*,

de falsis, or testamentaria: de vi publicâ. Dict. Antiqq.) Did the *judex quæstionis* manage the proceedings *in jure*, or those in *judicio*? (*Bojesen* says the proceedings *in jure*: but this seems incorrect, thus C. pro Cluent. 54: *jubet lex ea . . . judicem quæstionis . . . cum iis judicibus, qui ei obvenierint . . . quærere de veneno*, from which it would seem that the *judex quæstionis* presided at the trial, as president of a body of judges chosen by lot.³) By whom were the *quæstiones perpetuæ* originally conducted? by whom afterwards? Did the immediate judicial authority of the people now *increase or decrease*? 179. Had the Senate any judicial authority, strictly speaking, over the persons of citizens? Did the Emperors invest the Senate with any judicial authority? What officer had also a criminal jurisdiction in the times of the Empire? During the Republic, by whom was the criminal jurisdiction, beyond the walls of the city, exercised? What exception was there to this?

180. Who only could appear before the popular tribunals as *accusatores*? How was sentence passed? Who might act as prosecutor in the Prætor's court? When was the office of *accuser* respectable? Explain the terms *divinatio, subscriptores*. 181. How did the prosecutor commence his proceedings? Explain *delatio nominis, calumnia, receptio nominis*. Whence were the judges selected? Did their number vary? What number did it usually exceed? Who had the right of challenge against the *judices*? How was the trial itself latterly divided? 182. How did the *lex Julia* limit the principle that in criminal proceedings persons might be compelled to bear witness? By what were the *quæstiones* of slaves accompanied? In what causes was it at all events irregular to torture the slaves of the accused? Explain *vestes sordidæ*. Was the number of defenders ever limited? Explain *condemnatio, absolutio, ampliatio*. On what were the votes inscribed? How was the carrying of the sentence into effect insured? What means were there of protection against unjust sentences?

183. What offences generally formed the subject of criminal proceedings in the *judicia publica*? Explain *crimen majestatis, perduellionis, repetundarum*. What change took place with reference to causes *repetundarum*? When and where was a governor *impeached*? How were those who prosecuted such a magistrate to conviction, rewarded? Explain *peculatus, ambitus, vis, falsum, sacrilegium, plagium*.

184. What were the punishments in the days of the Republic? Was corporal punishment ever abolished? How was death generally inflicted? What were the more ancient modes? For *parricidium*, what was the punishment? How were Catiline's accomplices punished? How was the punishment of exile rendered effective? Whither did banished persons usually retire? 185. What were the usual punishments for the more grievous offences against the state? How were criminals frequently punished under the Emperors? Explain *deportatio, relegatio*. To what labour were criminals also condemned?

186. What treaty do we hear of in very early days of the Republic? How was the negotiation of treaties conducted? What privilege did

³ *Madvig*, in an essay on the *judex quæstionis*, maintains that this officer presided over such *quæstiones perpetuæ* as the Prætors could not preside over themselves, and that the number of these *quæstiones* made it necessary that such *judices quæstionis* should be appointed.

Ambassadors enjoy? On what conditions? How were those treated who misconducted themselves towards a foreign Ambassador?

187. What step was taken when any injury was received from a foreign nation? What was the effect of a declaration of war by the *Fetiales*? 188. Were these rights always enforced? By whom was the conclusion of peace celebrated? Explain the term *induciæ*. Was a *sponsio* concluded by the commanders always ratified by the state? If such a *sponsio* was *not* ratified, how was the general who concluded it treated? What more favourable treatment did conquered nations sometimes experience?

189. From what expenses was the Roman Republic exempt? What were the heaviest charges? When was *pay* first decreed to the army? 190. With what duty was the Exchequer charged in seasons of scarcity? What regulation, in conjunction with the large amount of private donations, attracted a crowd of broken-down or idle persons to Rome? What did a *lex frumentaria* of C. Gracchus establish? (see note 2.) What did Clodius introduce? (note 2.) Did this last long? (note 2.)

191. Who or what were maintained by the proceeds of the public estates? What other funds seem to have been applied to the maintenance of public worship? How early do we find mention of *portoria* and *tributa*? Of what do the *tributa* seem to have consisted originally? When was a property-tax imposed? After the expulsion of the Kings, who seem for a time to have been exempted from these payments?

192. What was the standing direct contribution from Roman citizens? Was it ever arbitrarily increased by the Censors? Why? By whom was it collected? Explain *vicesima manumissionum*.

193. Mention some extraordinary sources of revenue. How were some conquered states (e. g. the Aurunci, B. C. 502) made to contribute to the state revenues?

194. What were the standing contributions from conquered countries? From what was Italy exempt? What was an important item of the revenue? When the Romans conquered a country, of what portion of it did they take possession? 195. Where were considerable tracts of this *ager publicus* to be found? How was the pasture land (*saltus*) leased out? Explain *scripturæ*. Who farmed the *scripturæ*? In ancient times, whom do we find exclusively in occupation (*possessio*) of the cultivated land? What did they pay for it? Name some other productive sources of revenue. What became in Italy a state monopoly at a very early period?

196. Was the income of the state collected immediately by government? What exception was there to this? How was the collection of the state revenues managed? What was the term for *letting* the public taxes, &c.? (*vectigalia locare*). for *taking* or *farming* them? (*vectigalia redimere*). Where, and with what formalities did the bidding take place? When a *societas publicanorum* took a public tax or other source of revenue, who acted as its *representative* in making the purchase? 197. Explain *familia publicanorum*. Who were the principal government contractors? Who were disqualified from undertaking any public contracts?

198. What did the large sums which flowed into the Exchequer from foreign conquests, enable the government to dispense with? When was the property-tax suspended? What did the *lex Thorica* determine with

respect to the *ager publicus*? From the year B. C. 60, on what was the existence of the Roman state in a great measure dependent?

199. During the Republic, by whom were all affairs of finance transacted? Who were the principal officers of finance? What was the public Treasury termed? In what building was it included?

200. How did Augustus diminish the importance of the *ærarium*? For what benefits to the army and people, did the Emperors compensate by new taxes? 201. From whose reign was the financial administration entirely changed? In subsequent reigns, by what was the public expenditure considerably increased?

202. How were the inhabitants of vanquished states treated? If they were transferred to the state, did they become citizens? with what restriction or curtailment of rights? For the management of their political affairs, what officer was sent out every year from Rome? How was their local business conducted? 203. By what time had most of these cities acquired the full rights of citizenship? Explain *Latini*, *Itali*, *socii nomenque Latinum*. What was the condition of these *Latini*? Did any of them gradually adopt the Roman civil code?

204. When were the several Italian states amalgamated into one empire? What did the allied states and Latin colonies then become? What did this confer on their inhabitants? In these municipalities, by whom were the local business, and questions affecting the rights of individuals, settled? What offices, respectively, did Milo hold in Lanuvium, and Cicero's son in Arpinum? (see note 5.) Where were important criminal proceedings conducted? 205. Did the Prefectures, of which we read even after the Julian law, differ essentially from the municipia? By the *lex Julia*, was *Gallia Cisalpina* comprehended in Italy? To what other province was the right of citizenship soon extended? When did the Transpadani receive the privilege of citizenship? Under the Emperors, what form did Italy gradually assume?

206. Whenever the Romans desired to retain a conquered country as the property of the state, what did they do? Name the most ancient provinces. By whom was the first settlement of the province effected? 207. At first, who only were chosen as Governors? What change was soon afterwards introduced? Was a similar change ever made with reference to the Consuls? How were the provinces divided? how assigned? What arrangement did a law of the younger Gracchus introduce with reference to the consular provinces? In Cicero's time, what enactment was made with reference to both *consular* and *prætorian* provinces? Did the people ever themselves assign a province to a Governor? Give an instance.

208. With what was the provincial Governor invested, before his departure from Rome? With what was he furnished? What was his position in the province? By whom was he assisted in the administration of his office? How was the number of his *Legates* determined? Who chose his *Legate* and his *Quæstor*? On what terms did these officials live with the Governor? What was the *Prætorian* cohort, properly so called? What was his second *cohors Prætoria*?

209. By the Cornelian law, what was the Governor required to do after the expiration of his term of office? For what purpose were deputations frequently sent to Rome from the provinces? Into what did this practice sometimes degenerate? What right did the inhabitants of the

provinces enjoy? On these occasions, who acted as their patrons and hosts? 210. Explain *repetundarum*. What did a *lex Servilia* promise to any provincial who should prosecute a Governor to conviction? Was it easy for a deputation from the provinces to establish any accusation against the Roman aristocracy?

211. Was the municipal constitution, retained by the cities, regulated in a great measure by Roman laws? Was it subject to the interference and control of the Roman Governor? What remained unchanged? How was the defence of the country provided for? What did a part of the land become? What was done with the *ager publicus*? Did the tributes vary in these provinces? To whom were the public revenues farmed out? Were the provinces often oppressed by the Publicans, Governors, and *Negotiatores*? 212. What did the Governors always expect? What were they often bribed to connive at? Mention some of the evils to which the provinces were subjected.

213. Explain the term *conventus*. When a *conventus* was held, who presided as judge? Has the term *conventus* any other meaning? 214. What did the Governor, on assuming office, generally issue? On what was it principally based? What power had the Governor within the limits of his province? Where were capital offences committed by Roman citizens tried? In what cases did the province itself possess jurisdiction?

215. Mention some especial privileges that some of the provincial cities enjoyed from the beginning.

216. How did Augustus divide the Provinces? How long did this division continue? By whom were the Senatorial Provinces administered? by whom the Imperial? When was a general code of municipal laws formed? On what was this code founded? Did there still exist any diversity in the privileges enjoyed by different cities? 217. When did all the inhabitants of the Roman Empire receive the privilege of citizenship? From the days of Diocletian and Constantine, how was the Empire divided? What separation of authority then took place?

218. In the earliest period of Roman history, did any military establishment exist? In the remotest times, of what number did the army consist? How many *centuriæ equitum* were there? Who were (probably) the *celeres* mentioned by Livy? How many *celeres* were there? 219. Who seems to have increased their number? how much? Had the subsequent division of the people by Servius Tullius a military or a merely civil character? In this division, how many centuries of *equites* were there? Of whom were they composed? How many classes of infantry were there? How were these classes subdivided? By whom were distinct centuries formed?

220. According to what division was the levy of soldiers long conducted? What division was afterwards followed? From whom were the men chosen? Explain the term *juniores*. What was the term of service for the infantry? What for the cavalry? When did a standing army begin to be established? Show that both the legionary and cavalry service were esteemed honourable. 221. Who performed no military duty, except on extraordinary occasions? Where did they then serve? Who was the first who chose soldiers without reference to property? Did this practice ever become universal? Were *libertini* ever admitted into the legions? Towards the end of the Republic, who were exempted

from compulsory military service? Under the Emperors, of whom did the army in a great measure consist?

222, 223. In the early days of the Republic, how many legions were usually enrolled every year? Did the number of *allied* troops ever (in any branch) equal or exceed the number of Roman troops? Describe the annual levies or conscriptions. Explain the terms *scribere exercitum*, *nomina dare*, *delectum habere*, *legere milites*, *militiam detrectare*. Who were exempted from military service? When was the right of exemption restricted? What ceremony was necessary to constitute the obligation to serve in war? Explain the terms *stipendia legitima merere* or *facere*, *missio*, *emeriti*, *evocati*.

224. When did the Roman legionaries first receive pay? Who doubts the correctness of this statement? (see note 7.) What was the pay of a legionary soldier? What reckoning was always observed in the payment of the soldiery? What did a centurion receive? What a cavalry soldier? Was any portion kept back? if so, for what? When was the state obliged to find all the accoutrements of the soldiers? When was it usual to grant them greater privileges? Under the Emperors, what was the nature of their pay? 225. In ancient times, who were appointed to the cavalry service? By an ordinance of Servius Tullius, what were the Knights allowed for the purchase of a horse? What annually for its keep? In later times did they still receive the *as equestre* and the *as hordearium* for the keep of an *equus publicus*? What was at length substituted for the *as hordearium*? How were the *equites* who had no *equus publicus* mounted? When did this first occur? When the equestrian order was formed, how were the cavalry soldiers levied?

226. How were the infantry divided? How was each *legio* subdivided? How was the cavalry corps attached to each legion divided? What was the strength of each legion? Who formed the chief strength of the army? According to Livy, how were they originally formed? Into how many battalions were they afterwards divided? Name the *lines* with their arms. Who were denominated *antepilani*? 227. What were the chief defensive arms? What were their offensive weapons (*tela*)? Explain *milites levis armaturæ*, *velites*. How did these fight? With what weapons? What other descriptions of light troops belonged to the *milites levis armaturæ*? Did the arms of the cavalry differ essentially from those of the infantry? Had they too a lighter and heavier armament? What was the usual military costume? Over what was the *sagum* worn? What was the *paludamentum*?

228. To whom was the command (*imperium*) of the army intrusted? Who came next to the commander-in-chief? Who commanded the *single legions*? Describe the *rotation* of their command. After the year B. C. 363, how were the *Tribuni militum* chosen? Who were under the *Tribuni militum*? 229. How many *centurions* were there to each maniple? Who was the *centurio primi pili*, or *primus pilus*? What was the centurion of lowest rank called? Who were under the centurions? In the provinces, who acted as Commander-in-chief? In extraordinary emergencies, by whom was the army commanded?

230. Who settled the contingent to be furnished by each of the allies? Who chose commanders for these forces? What title did they bear? To what *legionary* officers did they correspond? How were the allied troops employed? How was the allied infantry divided? how the ca-

ralry? 231. How was the *pay, clothing, and keep* of the allied troops defrayed? In the distribution of rewards, or the division of spoil, did these allies ever receive as large a share as the Roman soldiers? When did the Italian allies begin to serve in the legions? Were their cohorts then intermixed with the Roman troops? What were the auxiliary troops of foreign nations termed?

232. What was the most common order of march? What did each soldier carry? Explain *milites impediti; sarcinæ*. For the transport of the tents, forage, and other heavy baggage, what did they employ? Distinguish between *signa* and *vexilla*. Explain the terms *signa conferre, inferre, referre, movère, convellere, convertere*. (note 8.) From what building were they brought out when the army commenced its march? 233. What division had each its standard? What was the legionary standard from the time of Marius? Was great regularity of step observed on the march? Were scouts sent out? Were the camp-followers often very numerous? Name some of them.

234. On a march, what did the army do every night? Explain *castra metari*. What camps were fortified more carefully? What owe their origin to the great stationary camps of the Romans? Describe a Roman encampment. Explain *fossa, agger, valli, vallum*. How many gates were there? Name them. Explain *pars superior, prætorium, pars inferior*. 235. Explain *sub pellibus durare*. By how many soldiers was each tent occupied? How were the rows of tents separated? Where were sentinels posted? Who made the rounds? How were the signals given? Explain *tuba, cornu, buccina, lituus*. In the camp, what exercises were practised? Explain *vasa colligere*.

236. Of how many lines did the order of battle generally consist? Name them, and state how they were *posted, and divided*. How were the intervals between the *maniples or cohorts* covered? In what form then did they stand? How were the open spaces occupied? Where were the legions placed? What troops formed the wings? When circumstances rendered it expedient, what different orders of battle were formed? Describe the *cuneus, the orbis, and the testudo*. 237. By what corps was the General attended? Before the battle, what did he do? With what did the battle generally begin? What troops were first engaged? What phrase denotes to *sound a retreat*?

238, 239. Distinguish between *oppugnare, obsidère*. Give the terms for to *invest a city*. How did the troops first advance? How was the city sometimes surrounded? How was the siege then pushed on? Explain *agger, contabulatæ turres, falaricæ, malleoli, turres ambulatoriæ, aries*. 240. What was a *vineæ*? what the *tolleno*? what *cuniculi*? How did the besieged defend themselves?

241. What rewards did the Roman soldiers receive? On what occasions respectively was the *corona civica, vallaris or castrensis, muralis, obsidionalis or graminea* granted? What did P. Decius receive on one occasion? 242. Mention some other rewards. By whom were these gifts distributed? Of what other rewards do we sometimes hear? What new mode of rewarding the soldiery was introduced by Sulla? What were the military punishments? In cases of mutiny what was sometimes done?

243. What were the highest rewards that could be conferred on a general? What were the conditions of a *justus triumphus*? 244. De-

scribe the *triumphal* procession. Where and to whom did the general offer up solemn prayer and sacrifices? What followed this procession? Give the terms for *to triumph*. 245. What was sometimes done by generals who were unable to have their triumph in Rome? Under the Empire, for whom was the triumph almost exclusively reserved? What inferior sort of triumph was there? Describe it. How were victories commemorated? What were the primitive *tropæa*? To what were conquered foes sometimes compelled to submit? What commemorative monuments do we read of besides *tropæa*?

246. Under the Empire how were the legions recruited? What change took place in their pay? On whom did the fate of Rome become at last dependent?

247. When do we meet with the first traces of a fleet? When may we consider Rome to have become a naval power? Who first overcame the Carthaginian fleet? Who first maintained standing fleets? Explain *naves longæ, trirèmes, quinquerèmes*. What lighter descriptions of vessels were there? When were *Liburnæ* adopted? Describe them. What were transports called? Describe the methods of attack in naval warfare. What were grappling-irons called? 248. Was the naval service less respectable than that of the army? Who often manned the fleet? What were the marines or *ship-soldiers* called? Who were sometimes obliged to furnish ships and sailors? Who generally commanded the fleet? Under what title? What was his ship called? By whom were other ships usually commanded? Who directed the rowers? Distinguish between *naves subducere, deducere*. What were *navalia*? Of what is mention sometimes made?

249. What was the chief characteristic of the Roman religion? In what may the grave and practical character of the people be detected? Were the sacred usages rigidly observed or not?

250. With what was the religion of Rome inseparably interwoven?

251. Were the Romans tolerant towards strange religions? Did they try to secure their own religion from any admixture of foreign creeds (*superstitio*)? What was it sometimes deemed expedient to do? Explain *pietas*.

252. From what countries was the most ancient religious worship derived? By what was the national religion soon overlaid and obscured? When did the Romans begin to lose their childlike belief in the truth of their traditional theology? What religion was now adopted by the learned? What did the common people eagerly embrace? How was religion still upheld?

253. What were the twelve higher divinities called? Name them. What was the principal temple of JUPITER? By whom and where was it erected? Who shared this temple with him? What were his appellations? What festival was celebrated in his honour on the Alban Mount? When and by whom were sacrifices offered to DIESPITER? What day of the month was dedicated to him? Whose statue was brought to Rome after the destruction of Veii? Give the titles of JUNO. What was her festival? What day was sacred to her?

254. From what language does the name MINERVA seem to be derived? Give the legendary account of the *Palladium*. Where was it placed? By whom was the worship of VESTA said to have been brought to Italy? By whom introduced into Rome? Give an account of her

round temple. When is a temple said to have been dedicated at Rome to CERES, LIBER, and LIBERA? When was her festival held? Give its name and character. To what does her worship seem in the more ancient times to have had especial reference? Where was the temple of NEPTUNUS?

255. Who was VENUS? When and under what title did she begin to be especially honoured? Who was MARS or MAVORS? Give his title. What was preserved in his temple? By whom? Who was BELLONA? Where her temple? What business was transacted in the temple of BELLONA? Give the other name of VULCANUS and that of his festival. When celebrated? What was the most celebrated temple of APOLLO? For what was it remarkable? When were *Ludi Apollinares* introduced? Where had DIANA a temple? By whom and for what purpose was it dedicated?

What deities came next to the *Dii Consentes*?

256. With whose story does the legend of SATURNUS coincide? State the legend. Describe the *Saturnalia*. Who played a conspicuous part in the *Saturnalia*? What part? (Quote Horace's allusion to it. *Age, libertate Decembri, Quando ita majores voluerunt, utere.*) Who was the wife of SATURNUS?

257. From what country was the worship of JANUS probably derived? Over what did he preside? Among the Romans, what was supposed to be under his protection? What does Livy state about a Janus? What was it probably? What were *jani*? How was JANUS represented? What was his principal feast? How came RHEA or CYBÈLE to be honoured at Rome? Give her titles. Give the name of her feast: of her priests.

258. What other name had PLUTO? Who was associated with him? What was there in the Comitium? What ceremony was gone through with respect to it? Give the other name of BACCHUS. What was his festival called? With whom was SOL often confounded? With whom LUNA? What was GENIUS? What ceremonies were observed with reference to the Genius? When especially?

259. Who was TERMINUS? To whom is his deification ascribed? Where was his altar? What legend was there about Terminus? Who was CONSUS? With whom confounded? What does he seem to have had? What were his games? When and where celebrated? Who was DEUS FIDIUS? What was he originally called? With whom in later times do we often find him confounded? By whom is the worship of Hercules said to have been introduced?

260. Who was QUIRINUS? Who was VERTUMNUS? Who was his wife? Who was FLORA? Who was FAUNUS? With whom is he often confounded? By whom were the *Lupercalia* introduced into Italy? Account for the name. Who was the wife of FAUNUS? With whom confounded? Where and by whom was the festival of Cybèle or *Bona Dea* celebrated?

261. Who was SILVANUS? Who was PALES? What day was considered the birth-day of Rome? Who were the LARES? Where did their statues stand? On festival days what was placed before the LARES? What other *Lares* were there? State the name of their feast, and the time of its celebration. Who were the PENATES? Where did they stand?

In what part of a Roman *house* did their images stand? Who were the *MANES, dii manes*? How were they honoured and propitiated?

262. Name some inferior deities borrowed from the Grecian mythology. When and why was the image of *Æsculapius* brought to Rome? Mention some divinities or personifications whose personal existence is involved in obscurity.

263. What was the authority of the Senate in religious affairs?

264. Where was the Roman religious system, with the regulations respecting festival days, temples, &c., described? Under whose care were these records placed? Who was the *Pontifex maximus*? With what were the *Pontifices* charged? Give a general account of their functions. On whom might the *Pontifices* inflict punishment? 265. Of how many members did the college originally consist? Cf what rank were they originally? What change did the *lex Ogulnia* introduce? What change took place in the number of the *Pontifices*? What were their insignia? Who were placed under them? What was the especial duty of the *Pontifex maximus*?

266. After the year B. C. 198 who were charged with the management of the banquets at the great festivals?

267. By whom were the Augurs introduced? From what country did he probably borrow the institution? What were their functions? How was their *spectio* conducted? What was their sentence called? On whom was it binding? Who had the right of consulting auspices?

268. Describe the law of precedence (in point of binding effect) of the magisterial auspices. How could the *auspices* be employed to prevent the holding of Comitia? Explain *servare de cælo*. When was the privilege withdrawn, at least in part? If any error occurred in the auspices, what might the college of *Pontifices* do? Explain *vitio creati*. When the belief in the supernatural knowledge of the Augurs had declined, why was the practice still retained? State the original number of the Augurs and the later additions to it. 269. Were the Augurs highly respected or not? Who were the private Augurs? What were the most important auguries? Explain *tripudium solistimum*. What were those birds called whose *flight* was prophetic? What those whose *song* was prophetic? Describe the mode of taking auguries. Explain *templum capere*. Give the meaning of *templum* in the technical language of the Augurs. (note 4.) What *templa* were there at Rome besides what we should call *temples*? (note 4.) What was the Augur's *lituus*?

270. State the legend of the Sibylline Books. When were they consulted? On whose motion? by whom? Who were the *decemviri sacrorum, quindecimviri libris Sibyllinis inspiciendis* or *sacris faciendis*?

271. In addition to these duties with what were they charged? Where were the Sibylline Books kept? When and why were fresh Sibylline oracles compiled? Where were they deposited? Explain *sortes sacre*. Where were they kept? (note 5.)

272. Who were the Fetiales? What was their business? Explain *res repetere, clarigatio*. If satisfaction was not granted within a specified time, how was war declared? How was this managed when more distant wars were waged? 273. How were the Fetiales employed in concluding alliances? What was their number? What was the president styled? Did their influence continue to be great? Is mention made of Fetiales under the Emperors?

274. Distinguish the Augurs from the Haruspices. What means did the *Haruspices* generally prescribe for averting impending misfortunes? What were *prodigia*, *portenta*, *monstra*, *ostenta*, *procurare prodigia*? What was their science called? What was their *manual* termed? Where was their science taught? *Who* sometimes moved that *Haruspices* should be summoned from the Etrurian schools to Rome? 275. When did the Haruspices acquire great importance? What body of men was often accompanied by *Haruspices*? To whose suite were they often attached? By whom was their art gradually superseded?

276. What officer superintended the religious observances formerly conducted by the kings? To whom was he subject? Who only could fill this office? Was it tenable with any other appointment? if so, with what? 277. Who were the *Flamines*? Name the chief *Flamines*. Of what rank must they be? What *official* inconvenience or disqualification was caused to the *Flamen Dialis* by the death of his wife (the *Flaminica*)? *Why*? When and why was the number of *Flamens* considerably increased? Who were the *Curiones*? of what rank? Who was their chief?

278. By whom and for what purpose were the *Virgines Vestales* appointed? What important privileges did they enjoy? To whose superintendence were they subject? For what offences could he inflict a severe punishment on them? How were Vestals convicted of unchastity punished? 279. What was at first and what afterwards the number of Vestal virgins? What did they wear? (What peculiar head-dress did they wear, whilst sacrificing? The *suffibulum*, an oblong piece of white cloth, bordered with *purple*, and fastened with a *fibula*.) When a vacancy occurred how was it filled? At a later period how were candidates generally admitted? What was their term of service? Were they permitted to marry afterwards? (Did they often avail themselves of this permission? No: it was looked upon as dishonourable.)

280. By whom and for what purpose were the *Salii Gradivi* appointed? What was their number? Explain *carmen Saliare*. When and where was it chanted? Were the *Salii* patricians or not? What other *Salii* were there? 281. Who were the *Luperci*? On what festival did they go in procession? Describe the procession. To whom is the establishment of this worship attributed? By whom was it introduced into Rome? Who were the *Luperci Julii*? Who were the *Fratres Arvales*? What was their number? What their office? Who were the *Sodales Titii*? For what purpose were they appointed? What other *Sodales* were afterwards appointed? When and why? Who were the *Galli*? Describe their procession.

282. How were the colleges of priests filled up? When a *Pontifex maximus* died how was his successor chosen? What change did the *lex Domitia* introduce in the election of priests? Who annulled this arrangement? By whom was it afterwards re-established? At a later period by whom was the right of nomination claimed? What disqualified for the priesthood? Were the priests magistrates? Might they hold a plurality of spiritual, or spiritual and secular offices? Was there any exception? Were they tenable for life?

283. Name some of the priests' servants and their offices. Who were the *pullarii*? What priests had *Lictors*? Who were termed *camilli*?

284. How was the Roman worship divided? Of what (besides as

certaining the will of the gods by auspices, extispicia, and the Sibylline books) did the Roman worship consist? During the acts of worship what was required?

285. Explain *præire carmen*. How were the public days of supplication (*supplicationes*) subdivided? Describe a *lectisternium*. Explain *ad omnia pulvinaria sacrificatum*. Explain *voti reus*. What other term expressed this? Explain *tabula votiva*.

286. What was the most important part of public worship? What does the term *sacrum* express? (see note 8.) How was the sacrificer clothed? What was required in the *victim*? How was it decorated? By whom was it led to the altar? Who were then called on to withdraw? Explain the term *favete linguis*. Explain *mola salsa*. What term is derived from *mola*? 287. Who inspected the entrails of the slain victim? Explain *lustratio*? When did the *lustratio populi* take place? Mention some other *lustrationes*. What does a person's *devoting* himself mean in Roman history?

288. Explain *dies festi* and *profesti*: *fasti* and *nefasti* (see note 9): *dies interdicti* (see note 9): *dies infausti* or *atri*. Mention some *dies infausti*. Distinguish between *feriæ stativæ*, *conceptivæ*, and *imperativæ*. Give an instance of a *feriæ conceptivæ*: of a *feriæ imperitivæ*. 289. Whence is our knowledge of the festivals derived? Of the *feriæ stativæ*, state in whose honour and when the following festivals were held: the *Lupercalia*, the *Matronalia*, the *Megalesia*, the *Parilia*; the feast of the *Bona Dea*; of *Castor and Pollux*, and the *Saturnalia*. (With what must the *transvectio equitum* on the Ides of July not be confounded? With the *inspection* of the Equites by the Censor.)

290. How were the public games subdivided? Describe the *ludi Romani*, *magni*, or *maximi*. Describe the division of the games with reference to their character. 291. Describe the *ludi circenses*. What was the game called *Troja*? Explain the term *ad bestias damnati*. What were the *naumachiae*? 292. When were the *ludi scenici* introduced? From what country were the actors and dancers brought? Of what shape were the *theatra*? What was the whole space for spectators called? (*Cavea*.) What were the *cunei*, and why so called? (Each compartment of benches, being formed by the intersection of straight passages radiating from a centre with semicircular passages, *præcinctiones* was of a wedge-like shape, i. e. narrower at the base, and growing wider as it approached the circumference of the semicircle.) Of what shape was the *orchestra*? For whom was it set apart? For whom were the next fourteen benches appropriated? By whose law? When was it passed? Were the theatres covered? if so, how? Who was the first that constructed a theatre of stone? Who purchased the dramatic pieces from their authors? With what was the recitation accompanied? What did the actors wear? 293. What was the origin of the *ludi gladiatorii* or *munera*? At what solemnities were they first introduced? When afterwards? Where were they performed? How were the gladiators divided? Of what rank were they generally? 294. By whom were they instructed in the use of their weapons? Account for the names, and state when you can the *arms*, of the *Samnites*, *retiarii*, *essedarii*, *andabatae*, and *mirmillones*. With whom did the *mirmillones* generally fight? 295. Explain *rudes*, *arma lusoria*, *præcludere*; *armo*

secretoria. Explain *pollicem premere, vertere*. Explain *recipe ferrum*. ('Receive the sword,' i. e. submit patiently to be slain.) What were the character and habits of the gladiators?

296. What parts, &c., belonged to the temple? What does one account state with reference to statues? (see note 1.) What does *ara* properly signify? (see note 1.) How are *aræ* and *altaria* often distinguished? (see note 2.) Explain and give the derivation of *bidental*. Explain *puteal*. What was the *puteal Libonis*? 297. What were the *infulæ* and *vittæ*? Explain *verbena*. How was every thing belonging to the gods, or connected with religion, dedicated? By whom was the dedication of temples performed? Who were frequently appointed to be the *duumviri* for dedicating a temple?

298. To whom was the division of time intrusted? How many months did the year of Romulus contain? With which did it begin? Which had thirty-one days? How many had the others? Of how many days then did the year consist? What other account is given of the year of Romulus? 299. Was Numa's (or Tarquinius Priscus's) year lunar or solar? Why was it necessary that it should be brought into agreement with the solar year, that is, with the recurrence of the seasons as determined by the sun? How was this agreement attempted to be brought about? According to the Decemviral year how was the intercalation managed? 300. Who kept the record of this arrangement? How was its purpose defeated? Explain the *annus confusionis*. Who undertook to reform the calendar? What year was now introduced? Describe this. Where did Cæsar insert the intercalary day? What was it called? How was an error again introduced shortly after his death? 301. By whom was this error corrected? What were *Sextilis* and *Quintilis* now called? How was the month divided? What was the eighth day before the *idus* termed? In what months were the *Nones* on the seventh and consequently the *Ides* on the fifteenth? (see note 5.) On what days did the *Nones* and *Ides* respectively fall on the other months? (On the 5th and 13th.) What was the first of the month called? How were days between the *Calends* (or *Kalends*) and *Nones* reckoned? (By their distance from the following *Nones*.) How those between the *Nones* and *Ides*? (By their distance from the following *Ides*): those between the *Ides* and the end of the month? (By their distance from the *Calends* of the following month.) To what month would such a day before the *Calends* of June belong? (To May.) If the *Nones* are on the fifth should you find the *second* correctly by subtracting 2 from 5; if not, say why not, and from what you must subtract. (No; the Romans reckoned both days in: hence I must subtract from one day more than the number: i. e. in this case from six.) From what must you subtract for *Nones* on the 7th? (From 8); for *Ides* on the thirteenth? (From 14); for *Ides* on the 15th? (From the 16th); for *Calends* that follow a month of thirty days? (From 32); for *Calends* that follow a month of 31 days? (From 33.) If the remainder is two, for instance, before the *Calends*, what will the day be called? (*Pridie Calendas*, for our day before is called the *second day before*, in the Roman method.) What would the *hirtieth* of January be called? (This is a day before the *Calends*, or first of February. The first of February being virtually the 32d of January; I subtract from $32 + 1 = 33$: and since $33 - 30 = 3$; it is the *third day before* the *Calends* of February.) Explain a. d. iii. *Kalendas Mar-*

tias. (Cicero and Livy, &c., use the form *ante diem tertium Kalendas Martias*, &c., which is thus abridged.) How was this form *fixed*? (It became a *fixed formula*, and might be preceded by *another preposition*. e. g. *in ante diem* iii. (*in a. d.* iii.) Kal. Mart. = *for or against* such a day: so with *ad, ex*.) Are the names of the months as used with *Nonæ*, &c., *substantives or adjectives*? (*Adjectives*.) Explain *nundinæ*. (note 6.) 302. Date the introduction of the week of seven days. How did the Romans divide the day? Did the hours vary in length? Explain *vigilia*. 303. What *dials* or *clocks* had they? Was the time from which the *first hour* was reckoned fixed? Give a reason for your answer. When would the Roman hour be *as long* as ours? When were they the shortest? 304. Quote the lines from Martial which describe the Roman distribution of the day.

305. How were the habits of female life gradually changed? When was an attempt made to limit the expenses of *dress*, &c.? Did the Roman women visit the places of public amusement? 306. What was the general character of education? In the olden time in what did an important part of it consist? At a later period on what plan was it conducted? What did boys learn? 307. Describe the taking of the *toga virilis*. (see note 8.) At what age was this? After this, how did they endeavour to qualify themselves for their future position? What opportunities were afforded them of completing their gymnastic education? What country did many of them visit? Why?

308. Explain the *nomen*, *prænomen*, and *cognomen*, of a Roman. What fourth name was sometimes added? Give the full names of the younger *Africanus*. What name did the daughters bear?

309. What seems to prove that trade was carried on at a very early period? What was the most important source of income in the early times? From what sources of income were *Senators* excluded? Was landed property equally divided? In later times how was the number of free yeomen reduced? 310. Explain *mercatura* and *negotiatio*. How were exchanges and payments effected? What was the consequence of the stream of wealth which flowed into Rome?

311. Of what metal was money first coined? Who first struck gold money? On whom did the superintendence of the coinage devolve after the expulsion of the Kings? Who were the *triumviri monetales*? Account for the *AAAFF* in their title as usually written. How much did an *as* weigh at first? Into how many *uncia* was the *as* divided? Give the names for 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, *uncia*. Give the derivation of *Dodrans*: of *Bes*. (note 1.) 312. How many *asses* did the following coins contain: *decussis*, *tripondius*, *dupondius*? Explain *asses librales*: *as grave*. Was their weight afterwards reduced? if so, how far? 313. When was silver first coined? What were the *silver* coins? What the value of the *denarius*? Explain *denarius*, *bigatus*, *quadrigatus*. What was always reckoned by the old standard? Give the value of the *quinarius*: of the *sestertius*. Give the derivation of *sestertius*. (see note 2.) By what character was the *sestertius* expressed? What was the value of the *gold denarii*? When were they first struck? What were they called under the Emperors? 314. In what were large sums usually reckoned? How were large sums generally reckoned? Distinguish between *sestertius* and *sestertium*. When are *sestertii*, *sestertia* used regularly? (With numeral adjectives.) When irregularly? (With

numeral adverbs.) What does *sestertium* mean with a numeral adverb? (So many hundred thousand sesterces.) What then is *sestertium semel*? (100,000 sesterces): *sestertium decies*? (1,000,000): *sestertium vicies* (twenty 'hundred thousand sesterces,' i. e. two million sesterces.) Then with numeral adverbs below *ten*, what does *sestertium* mean? (So many hundred thousand sesterces): with numeral adverbs above and multiples of *ten*? (As many million sesterces as the adverb is a multiple of ten.) How so? (Because *sestertium decies* is a million sesterces.) What then is a *sestertium sexcenties*? (60 millions of sesterces.) In this construction is *sestertium* declined? (Yes.) What is the Latin for 'of two million sesterces?' (*Sestercii vicies*.) How many sesterces are there in *sestertium ter vicies*? (*Sestertium vicies* = 2 million sesterces: *sestertium ter* = 3 hundred thousand sesterces: hence *sestertium ter vicies* = 2,300,000 sesterces.)

315. In long measure what formed the unit? How many *palmae* did a *pes* contain? How many *pollices*? How many *digiti*? How was the *pes* also divided? How many *pedes* did a *cubitus* contain? How many a *passus*? How many *passus* made a *stadium*? How many a *milliarium*? What was the *superficial* measure? Give its length and breadth. 316. What was the measure for dry and liquid goods? How many *amphorae* did the *culeus* contain? Subdivide an *amphora* (or *quadrantal*), into *urnae*, *congi*, *sextarii*. How many *cyathi* did the *sextarius* contain? What were employed for liquid commodities? In what measure was the *modius* especially used? How many *modii* made a *medimnus*?

317. In the later times of the Republic was the number of slaves great, moderate, or small? By whom were country estates (*latifundia*) entirely cultivated? Explain *familia rustica*, and *urbana*. Explain *vernæ*. How were slaves divided? 318. In the *familia urbana*, name the most important offices. What office did the *nomenclatores* perform? Who were the *tabellarii*? Who were employed at the toilet and in attendance on the master's person? When did the art of medicine become known at Rome? (see note 6.) By whom was it for a long time practised almost exclusively? (see note 6.) Who were the *servi literati*? What were the *anagnostæ*? Who were the principal slaves in the *familia rustica*? Explain the term *topiarii*. Who was the *ergastularius*? (see note 8.)

319. From whom did the rich Romans receive regular morning visits? At what time did business commence in the Forum, the courts of law and the Senate? When business in the *forum*, &c., was over, how did the rich Romans pass the time? What games had they with balls? Distinguish between *pila* and *foliis*. What games of chance were played on boards? Distinguish between *tali* and *tesserae*. 320. How were they respectively marked? What was the dice-box called? Explain *canis*, *venus*. With the *tesserae* what determined the victory? What was the *dice-board* called? Was the game with *tali* or with *tesserae* always played for money? What was nearly our *chess*? What nearly *backgammon*? What were the *men* called? 321. What was usually done before supper (or rather *dinner*), *cæna*? Explain *lectica*, *lecticarii*. In whose time does it seem not to have been known? In whose was it very common? Was it ever used in the city? Were carriages often seen in town? On certain occasions who were allowed to

use them? Was this privilege ever restricted? 322. For journeys, what three-wheeled, what four-wheeled carriages were employed? What were they? How were the beasts of draught fastened? On a journey, how did the travellers live? How were ambassadors (*legati*) entertained? Explain a *legatio libera*. Were the accommodations at inns good? What were inns called?

323. When did the taste for display begin to show itself in the arrangements of their houses? Describe a Roman house or villa, as to its general character of *decoration, furniture, &c.* 324. Explain *vestibulum, ostium, or janua*. How were gates closed? Was the gate guarded? By whom? Was the *atrium* probably the same as the *cavum ædium*? 325. What were placed in it? Describe the *atrium*. What was the *cavum ædium, or cavædium*? What was the *impluvium*? Distinguish between *impluvium* and *compluvium*. (The words seem to denote the same open space, but *compluvium* refers to the *opening in the roof, the uncovered space overhead*.) What was there in the centre of the *impluvium*? What was the *peristylum*? What were the other apartments and bed-rooms termed? Describe *triclinia, æci, exedra, cœnacula*. 326. Of what was the floor composed in ancient times? Explain *pavimentum sectile, opus testaceum, opus or embléma tessellatum, vermiculatum; opus musivum*. How were the walls ornamented? Were the ceilings highly ornamented? 327. By what were *fenestræ* closed when necessary? Had they glass in them, or any equivalent substance? At what period? Are any *glass* panes found at *Pompeii*? (Yes.) What plans were adopted for warming the apartments? Explain *hypocausta*. What was used for lighting in ancient times? What at a later period? How were lamps suspended or supported? 328. How is our knowledge of their baths derived? Name the principal parts of the *thermæ*. By whom was a Roman attended to the bath? What did this attendant carry?

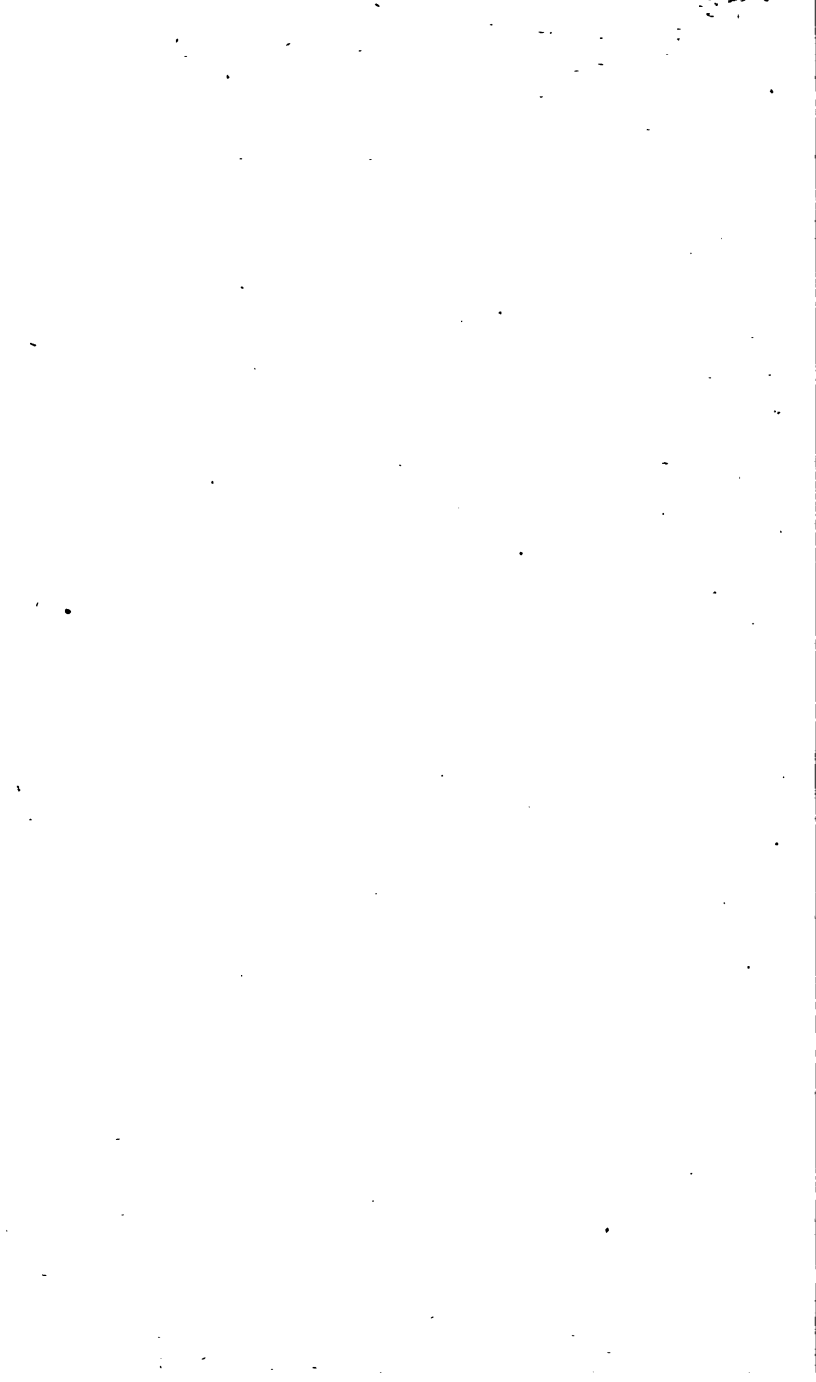
329. Describe the *tunica*. What kind of tunic was considered a sign of effeminacy? What tunic did the Senators wear? What the Knights? When and by whom was a *tunica palmata* worn? Under the tunic, what was generally worn? What above it? What was the *distinctive national dress* of a Roman citizen? How, to speak generally, was it worn? Of what colour was the toga? What toga did candidates for the great magistracies wear? Who wore a *toga sordida*? How were virgins and boys dressed? In triumphs, what did the victorious general wear? What was the usual military cloak? What the foul-weather or travelling mantle? Describe it. 330. In the time of the Emperors, what was often worn instead of a toga? Distinguish between *soleæ* and *calcei*. Was the head bare or covered? What were universally worn as an ornament? How was the *beard* worn? What was done in the *tonstrina*? (see note 1.) 331. What was the *stola*? What was worn over the *stola*? What was the character of the *later Roman dress*? Of what did the most ancient dresses consist? When was linen generally introduced? What terms express *linen* or *kinds of linen*? Was silk ever worn? When?

332. What was a very common food in ancient times? (see note 2.) Were the banquets in later times *luxurious* or *simple*? Were sumptuary laws ever enacted? From what district did all the best Italian wines come? (see note 3.) What held the first rank? (see note 3.) Was is

ever *deposed*? (see note 3.) What came next? (see note 3.) What was the *best Falernian*? (see note 3.) Where grown? (see note 3.) What followed *Falernian*? (see note 3.) Name some *middling* wines. (see note 3.) What were amongst the worst? (see note 3.) When was wine *common* in the older times? Was it usually mixed with water? Explain *mulsum* 333. What was the first meal? What was the *prandium*? About what hour was the *cæna* served? What was the first course called? What the principal course? What the dessert? Did the Romans *sit* or *lie* at table? How many couches were generally placed at each table? Name them. How many guests did each couch accommodate? Describe the *commissationes*. Explain *magister bibendi*. How were the guests adorned? Were any *spectacles*, any *amusements*, introduced at their feasts?

334. From what did the anxiety of the Romans for the performance of the funeral rites arise? Explain *justa facere*. At the time of death, what did the nearest relations do? By whom were the preparations for the funeral conducted? How was the corpse first treated? What was used for a shroud? What was placed in front of the house? What was done at more solemn funerals? By whom was the procession opened? 335. What was carried before the body? On what was the corpse borne? Who closed the procession? At the Forum, what was done? Had women the right of a *laudatio*? Was this often claimed? As a general rule, where might no corpse be interred? Were bodies *buried* or *burnt*? Where had persons of consequence magnificent private burial-places? Under the Emperors, what was customary? 336. Describe the ceremony of burning the dead. Explain *ossa legerc*. By what were funerals sometimes accompanied? After the funeral, what took place? What was decreed to the Emperors after their death? With what *titulos*, &c., was the person deified honoured? How was the sanctity of *cemeteries* preserved?

THE END.



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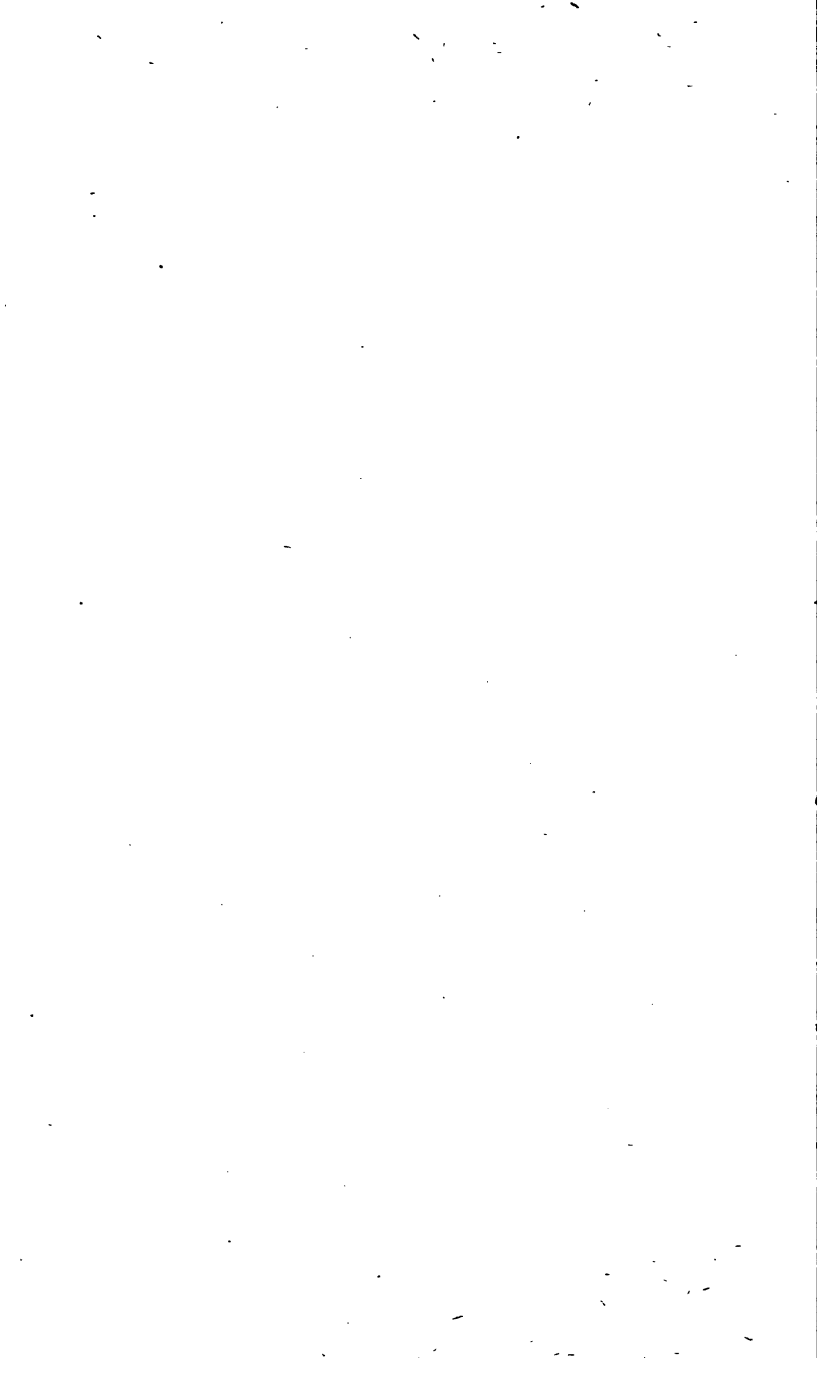
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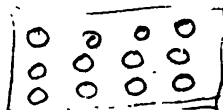
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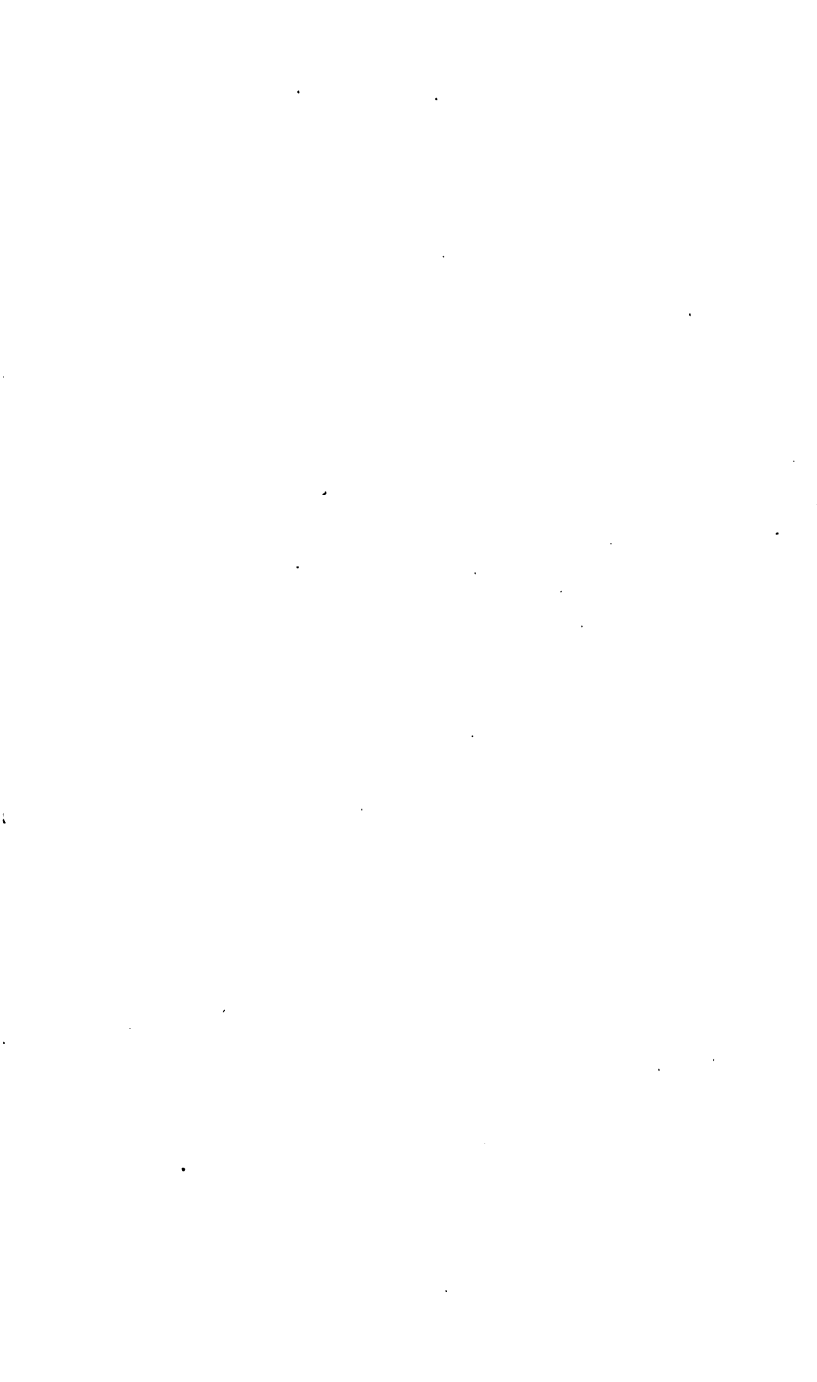
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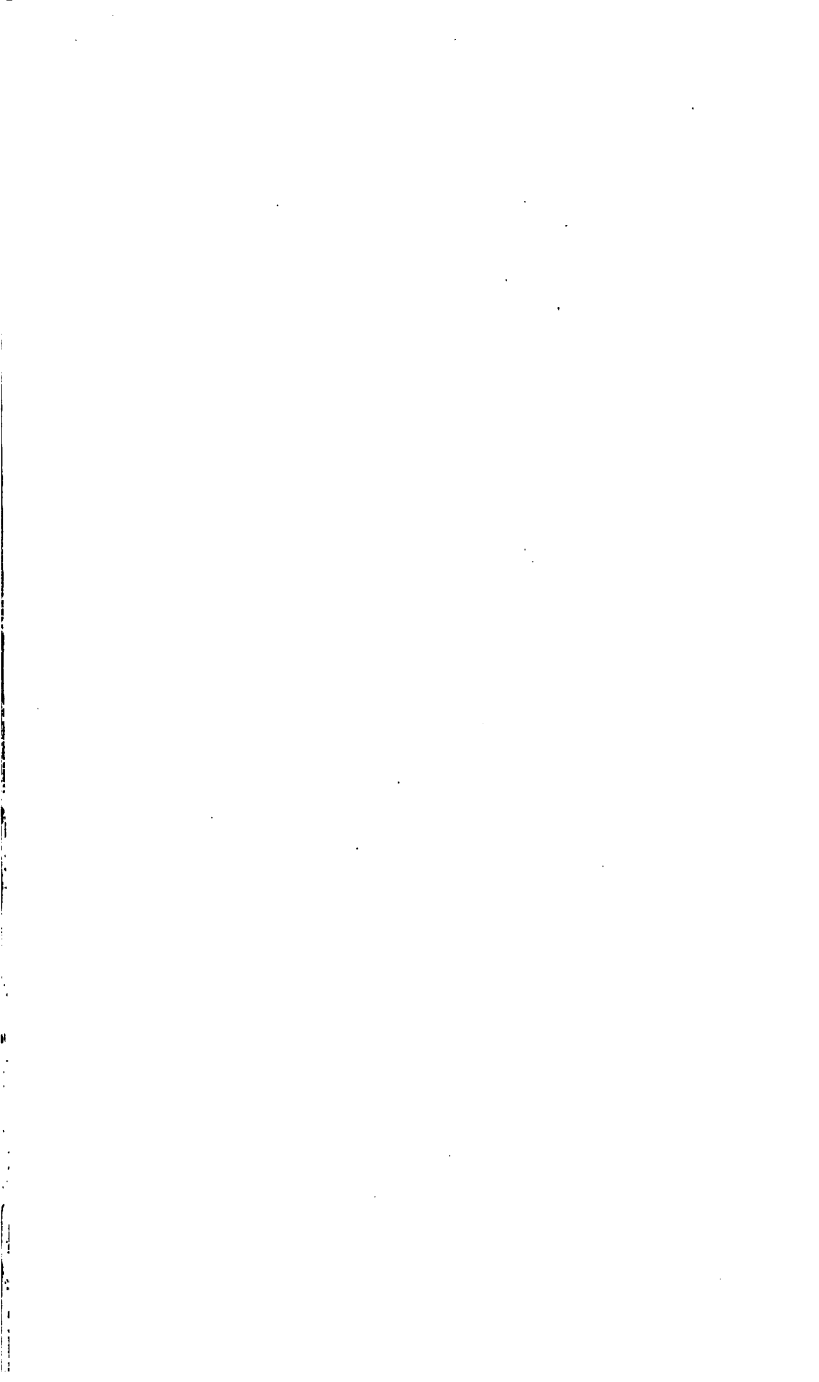
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